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THE GREAT CONSPIRACY.

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AN ADDRESS

DELIVERED AT

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On the 4th of July, 1861,

THE EIGHTY-FIFTH ANNIVERSARY OF AMERICAN INDEPENDENCE.

BY JOHN JAY, ESQ.

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THE GREAT CONSPIRACY.

MR. JAY'S ADDRESS.

MY FELLOW-COUNTRYMEN :—

We have assembled to celebrate the eighty-sixth birthday of American independence, and we come together under circumstances that seem to make us contemporaries and co-actors as it were, with our fathers of the revolution. The crisis which they met, and which their heroism decided after a seven years' war with Great Britain, again meets us face to face. The early scenes of their struggle for constitutional liberty, have found in our recent experience an historic parallel of even chronological exactness.

The blood of Massachusetts, shed at Lexington on the 19th of April 1775, was not shed more gloriously than that of the sons of the same old commonwealth, who, marching by our national highway, to the defence of our common capital, were slain at Baltimore on the 19th of April, 1861.

The midnight ride of Paul Revere, famed in history and song, rousing the sleepers as he passed to hasten to defend their country, created no deeper emotion among the colonists of that day, than did our electric wires flashing far and wide the news of the assault on Sumpter and the massacre at Baltimore, and thrilling with a simultaneous burst of sympathy the loyal heart of the American people.

On the 4th of July 1776, the congress that met in the state house at Philadelphia approved the solemn instrument that declared the independence of the American colonies, and announced to the world the birth of a nation. Eighty-five years have rolled by: the actors in that eventful scene have long since gone to

their graves : their names belong to history : their sons have grown to manhood and age and have followed them to the unseen world : and we of the third and fourth generation occupy the stage they trod, and represent the nationality which then was born. Eighty-five years of almost uninterrupted prosperity and unexampled growth ! eighty-five years of culture and experience in a century of progress such as the world has never seen before ! eighty-five years of thoughtful reflection on the character of the men who laid the foundation of our national glory and of the broad principles of right on which they based the edifice of American freedom !

Those years have passed ; their results are written on the map of America, on the page of history, and to-day, the 4th of July 1861, the American congress convenes again at the call of the president at the capital bearing the name of Washington, to meet the question, whether the republic is to be maintained in its integrity with the constitution proclaimed by Washington based on the will of the majority, or whether it is to be sundered and shattered by a defeated faction that sets at defiance the will of the people and would trample the constitution in the dust.

If ever the spirits of the departed are permitted to revisit the scenes they loved, and hover like angels around the steps of their successors, we may suppose that Hancock, and the Adamses, Sherman and Wolcott, Carroll and Livingston, Jefferson and Franklin, Robert and Lewis Morris, Wilson and Rush, and all their noble compeers, look down from heaven in this hour upon the Congress at Washington ; and God grant that the sturdy spirit which inspired the first Congress may equally inspire the last !

"Whatever may be our fate," said John Adams, with prophetic vision, after the adoption of the declaration,—“be assured that this declaration will stand. It may cost treasure and it may cost blood, but it will richly compensate for both. Through the thick gloom of the present I see the brightness of the future as the sun in heaven. We shall make this a glorious, an immortal day. When we are in our graves our children will honour it. They will celebrate it with thanksgiving, with festivities, with bon-fires, with illuminations. On its annual return they will shed tears, not

of subjection and slavery, not of agony and distress, but of exultation, of gratitude and of joy. Sir, before God, I believe the hour is come : all that I have, all that I am, all that I hope for in this life, I am now ready here to stake upon it, and I leave off as I began, that live or die, sink or swim, survive or perish, I am for the declaration. It is my living sentiment, and by the blessing of God it shall be my dying sentiment,—Independence now, and independence forever!"

The integrity and independence of our country are again in peril, and to-day the issue is with us. We come together now, not as in past years, to rejoice over a national domain boundless in extent, peopled by countrymen differing, it may be, in their views and institutions, but united in loyalty and affection, at peace in their own borders, and with the great arm of the union protecting its citizens alike on sea or land, at home or in foreign climes. But we meet in sadness to overlook a divided nation, and to listen to the tramp of martial forces larger than ever before trod the soil of America: the one army bearing proudly aloft the stars and stripes, and keeping step to the music of the union; the other grasping the banner of rebellion and the black flag of piracy, proclaiming death to the constitution and the union, and ruin to the commerce of the republic.

Several states, about one-fourth of our whole number, profess to have resumed their sovereignty and *seceded*, as they term it, from the federal union: and certain persons professing to act in their name, have extemporized what they call the Southern Confederacy, elected a president, Jefferson Davis, and a vice-president, Alexander H. Stephens, organized an army, issued letters of marque, and declared war on the people and the government of the United States; and they have publicly announced, through Walker, the secretary of Davis, their intention of speedily seizing our capital at Washington, with its national archives and muniments of title.

To meet the rebel force arrayed against the capital, president Lincoln has called upon the loyal states, and at the word, fresh from the plough, the loom and the workshop, fresh from college seats and the professor's chair, from the bar, the pulpit, and the counting house, fresh from every department of Ameri-

can industry, the army of the union is in the field, and the world awaits the impending crisis. Europe looks on with undisguised and wondering interest, and while France and Germany seem instinctively to appreciate our situation, the British cabinet and the British press have strangely blundered, and have muttered something we do not understand, about "rights of belligerents," "a wicked war," and the "bursting of the bubble of democracy."

Such, in brief, is our position at home and abroad, and this day is destined to be memorable—perhaps as memorable in history as that which we have met to celebrate. The action of the congress now assembled will decide whether the national independence established against the united strength of the British empire in '76 is to fall ignominiously before the attacks of a rebel minority of our own countrymen in '61.

It is to decide the question whether in the next century our descendants shall refer to the fourth of July as the forgotten birth-day of an extinct republic, or whether, when we shall sleep with our fathers and our children shall slumber by our side, their grandsons shall meet as we do this day to bless our memories as we bless those of our revolutionary sires: to spread to the breeze from the Atlantic to the Pacific, on every hill side and in every valley, the flag of our union, the stars and stripes that we so proudly love, and join their voices in swelling the cry of Adams—"Independence now, and independence forever!"

While the great issue, the success or failure of the American experiment, the continuance of our union or its disintegration rests immediately with the president and with congress, it rests in an almost equal degree upon each one of us. The American people are at once citizens and sovereigns—the fountain and source of the supreme authority of the land, and to us the people, will our servants in congress naturally and properly look for guidance in this extremity. Already have you seen how fairly an honest executive represents the sentiments of the majority of his countrymen, availing himself of their counsels, gathering strength from their energy and determination, and so directing the government that its action keeps time to the beat-

ing of the national pulse. Already in response to the nation's call has the national government arisen in gigantic strength from the depths of imbecility to which it had fallen, to a position of grandeur, dignity and power, which has silenced the half uttered sarcasms of European declaimers about the internal weakness of popular institutions.

Most of you—perhaps all of you—have made up your minds deliberately, intelligently and dispassionately in regard to your duty ; and it is a general and proper sentiment among us that this is a time for energetic action, not for discussion. But still as I am here, honoured by your appointment to say something befitting the occasion, I think you will permit me, if indeed you do not regard it as my especial province, to speak frankly of our present duty ; to say something of the great theme which engrosses the nation ; of which we think when we rise in the morning and when we retire at night, as we go to our work and return to our meals, when we open the morning paper for news and close it for reflection, when we kneel at the family altar and by our own bed sides,—the one great overwhelming subject, the issue of this rebellion, the destiny of our country.

I can speak to you about it more familiarly, perhaps, than I should speak to strangers, for you are familiar with the whole matter, you know by heart the history of the revolutionary war in which the county of Westchester bore from the beginning so prominent a part, and from boyhood our thoughts and associations have been intimately connected with the facts of our colonial dependence and the incidents that marked the struggle by which that dependence was at length terminated. Let me refer for an instant to some of the local memories which linger all around us. On the angle of Connecticut which juts into the State of New York, close by this town of Newcastle, stands the boundary rock, still bearing the initials "G. R.," brief memento of King George III., whose sovereignty over our fathers, loyal subjects though they were, and backed as was the crown by the armies of Great Britain, faded before the steadfastness of their resistance to unconstitutional usurpation.

New York in '76 being selected by the British as the centre of their operations, commanding, as they did, the Hudson river,

and acting in connection with a force from Canada, their march into Westchester was designed to control the two principal routes to New England, by the way of Rye and Bedford, and so cut off the American army from its eastern supplies. Washington, penetrating their designs, skilfully conducted his forces northwardly from King's bridge, moving in a line parallel with the British, keeping a little in advance, facing them constantly with the Bronx in his front, the banks of the stream being fortified in convenient places.

I need not remind you of the battle of White Plains on the 28th October, 1776, where Alexander Hamilton distinguished himself as a captain of artillery, nor of the heights of Newcastle, to which Washington repaired after the battle. At Bedford, where we hold our farms under Indian titles bearing the mark of Katonah sagamore, that were confirmed by patent of Queen Anne, some houses were burned in '79 by lieutenant-colonel Tarlton, heading a detachment of the Queen's rangers, as related in his despatch to Sir Guy Carleton. At Poundridge and Hitching's corner occurred bloody skirmishes. Then, there are near by us Mile-square, where the Americans kept a strong guard; Pine's bridge, which served as the principal communication between the hostile lines, and where Enoch Crosby, the Westchester spy—known to all readers of our great novelist as Harvey Bichr—commenced his career of secret service; King's bridge, the barrier of the British lines on the Harlem river, commanded in New York by Lord Cathcart, where the cowboys made their rendezvous when they had plundered the surrounding hills, and where a battle was fought between the Continentals and the Hessians. Indeed the whole of the "neutral ground," as portrayed by Fennimore Cooper, extending to the Croton, the banks of the Hudson, Northcastle and Salem, connected with the sad drama of André and the, till recently, unsurpassed treason of Arnold, all abound with revolutionary incidents; not forgetting Valentine's hill at Mile-square, where Washington was encamped in '76, Sir William Erskine in '78, and where in '82, as Mr. Bolton tells us, a grand foray was made with some 6,000 men by Sir Guy Carleton in person, attended

among other officers of note, by the young duke of Clarence, afterwards William the fourth.

Dwelling as you do amid scenes so suggestive, there should be no traitors in Westchester unless indeed, they are the descendants of the cow-boys and skinners, those pests of the Revolution, who were at once selfish, treacherous, cowardly, and cruel ; and if any traitors should again be found in our borders—men ready for their own selfish interests to betray either the national principles, or the national integrity that our fathers bought for us at so great a price, do not forget to remind them that the “Cow-boy oak” yet stands near Yonkers, on which their traitorous ancestors were suspended with “a short shrift and a sure cord ;” and that equally patriotic oaks in every part of Westchester send forth their broad arms ready to perform for our country, should its safety at any time unhappily demand it, the same excellent service.

You are familiar also with the history of our Constitution, and with those marked lines of distinction between the authority of the States and that of the Federal government, which to some of the statesmen and authors of England seem so difficult of comprehension, and in regard to which, perhaps naturally enough, they occasionally fall into blunders, which unfortunately are not always as harmless as the droll liberties they are accustomed to take with our history, our geography, and our nomenclature.

If ever the constitutional history of America shall receive in the education of English gentlemen a tithe of the attention bestowed on the constitutions of Greece and Rome, or a share of that devoted to the fabulous heroes, the gods and goddesses of classic mythology, the British senate may occasionally find a familiarity with our institutions of no slight value, especially if it shall save them from rashly interrupting the cordial friendship of a kindred people.

The universality of such knowledge here, makes us perhaps more ready to remark the want of it in foreign critics. Dr. Franklin said during the last century, and the progress of education and improvements in our newspapers have made the remark more true of the present than of the past,—“we are more

thoroughly an enlightened people, with regard to our political interests than perhaps any other under heaven."

You remember that in 1774 the members of the first congress at Philadelphia, on behalf of the colonies which they represented, entered into certain articles of association "under the sacred ties of virtue, honour and love of country." That in 1778 the states united in a confederacy, or what they called "a firm league of friendship with each other," under the title of the United States, and that under this league made by the states, they continued until 1789, when, "in order to form a more perfect union"—not the states, but—"We the people of the United States" ordained and established the present federal constitution. You remember that from the date of the peace in '83, when we were a mere league of petty sovereignties, we sank rapidly, in the words of Mr. Motley, whose conclusive essay in the *London Times* has enlightened Europe, "into a condition of utter impotence, imbecility and anarchy," which continued until we were rescued from it by "The constitution of the United States," which made us, in every sense, one nation—with one supreme government, although for convenience, we retained the plural title under which we had achieved our independence of "The United States."

Any argument, therefore, addressed to you upon the constitutional right alleged by the rebels, of a state to secede from the union would be quite superfluous. Men have been allowed to talk of state sovereignty as it liked them, because ours is a free country and in ordinary times the utmost liberty of speech is permissible, but the doctrine has not even a respectable foothold. Washington, as if foreseeing the evil it has assisted to bring forth, denounced it as "that monster, state sovereignty." Webster and Jackson successively demolished it, and the argument now insolently advanced by leaders of the rebel states, that in seceding from the Union and seizing its property, they are only exercising their reserved rights under the Constitution, is one which to every intelligent and loyal American carries with it its own refutation.

The man who attaches to it the weight of a feather, is either

singularly ignorant of American history, or his reasoning powers are hopelessly perverted.

The rebels, despite their pretended plea of constitutional right, virtually admit its groundlessness, and fall back on the right of revolution. That is a right which no American can deny, when the causes of justification are sufficient. The simple cry of rebel and revolutionist has no terror for us who remember that Washington and our ancestors occupied the position of both the one and the other.

All then depends upon the reality and sufficiency of the assigned causes of this attempt at revolution. Are they such as to justify the effort to break in pieces the American union? to destroy this last experiment of popular government?

The arguments offered by the insurrectionists and their friends, to shew that the federal government and the loyal states should quietly allow them to depart and form a separate confederacy are these :

That the rebellion or revolution is the act of the people of those states exercising their sovereign will.

That they have been compelled to this step in self defence by the election of Mr. Lincoln, and the refusal of certain Northern states to fulfil the constitutional obligation of returning fugitive slaves.

That the present position of the rebels, and the fact of their having ousted the federal government from its forts, and other property, exhibit their strength, make the revolution an accomplished fact, and render the attempt to subjugate the Southern people utterly hopeless.

That even if they were subjugated, harmonious feeling could never be restored, and that for these reasons, and especially the last, a war to maintain the integrity of the union would be alike wicked and foolish.

These, I believe, are their strong points fairly stated, and I will briefly state some of the grounds on which we believe them to be, one and all, erroneous and delusive.

In the first place, the fact is clear that the rebellion at the South was not in its inception like the rebellion of the American colonies,—a calm, deliberate, determined, movement of the peo-

ple ; but that it was a conspiracy originating with a few ambitious politicians, and was by them suddenly precipitated upon the people, whose right to pass upon their acts of secession has been purposely, systematically and practically denied. "There is," said Webster,—and his words were never before so fearfully illustrated,—“no usurpation so dangerous as that which comes in the borrowed name of the people ; which calling itself their servant, exercises their power without legal right or constitutional sanction.”

You all remember the stern rebukes uttered by the Southern press, of the rash precipitancy of South Carolina, and the efforts made by their prominent statesmen, among whom Mr. Stephens was one, to stay the efforts of the rebel leaders to plunge the South into rebellion. Even after several states had by their conventions,—and the convention of Louisiana was elected by a minority of the people—been declared out of the union ; and after delegates from those conventions had met in congress at Montgomery, and extemporized their new confederacy, the bolder part of the Southern press did not hesitate to denounce the usurpation.

The “Augusta Chronicle and Sentinel”—a leading paper of Georgia—openly declared that the result had been produced by “wheeling, coaxing and bullying, and all the arts of deception.” It said :

“We know as well as any one living that the whole movement for secession and the formation of a new government, so far at least as Georgia is concerned, proceeded only on a *quasi* consent of the people, and was pushed through under circumstances of great excitement and frenzy by a fictitious majority.” And then passing to the Montgomery congress, it added :

“The Georgia convention and the confederate congress have gone forward in their work, as none can deny, without explicit and direct authority from the people.” * * * “It is time that this assumption of power should cease, and that the people should be heard. Sooner or later they must be heard. * * * Before the convention assumes to ratify the permanent constitution let them submit it to a vote of the people—or else, let us

have an election for a new convention. For union—for harmony—for strength—we ask this simple act of justice.”

Simple justice was not the aim of Jefferson Davis and his co-conspirators. To this day the people of the South have been allowed no opportunity of passing upon the profoundest question that can affect a nation—the preservation or overthrow of its institutions; and the rebel government is an usurpation of the grossest kind, not only against the people of the United States in their sovereign capacity, but against the people of the States in whose name it assumes to act, and by whose will it pretends to have been established.

The declaration, so solemnly made by the seceding conventions, appealing to the world for the justice of their cause, that Mr. Lincoln’s election, the non-execution of the fugitive slave law, and the personal liberty laws of northern States, compelled them to separate from a government that threatened their dearest rights, is equally disproven out of their own mouths. Listen to the following utterances from the very leaders of the rebellion:

MR. RHETT said:—“The secession of South Carolina is not the event of a day. It is not anything produced by Mr. Lincoln or by the non-execution of the fugitive slave law. It is a matter which has been gathering head for years.”

MR. PARKER.—“It is no spasmodic effort that has come suddenly upon us, but it has been gradually culminating for a long series of years.”

MR. KEITT.—I have been engaged in this movement ever since I entered political life.”

MR. INGLIS.—Most of us have had this matter under consideration for the the last twenty years.”

That these declarations had a broad basis of truth, and that a plot to destroy the union has been hatching for a long period and has been deferred only until a convenient opportunity, is no longer a matter of speculation. The election of Mr. Lincoln was not the cause but only the occasion. Mr. Everett, in a recent letter said, that he was “well aware, partly from facts within his personal knowledge, that leading Southern politicians had for thirty years been resolved to break up the union as soon as they ceased to control the United States government, and

that the slavery question was but a pretext for keeping up agitation and rallying the South."

The Richmond Enquirer in 1856, declared, "If Fremont is elected the union will not last an hour after Mr. Pierce's term expires," and a careful examination will shew that from the attempt at nullification by South Carolina in 1832, which was defeated by the stern determination of General Jackson that the "union must and shall be preserved," a sentiment that was enthusiastically responded to by the country at large, the design has been secretly cherished, by a knot of conspirators at the South, of destroying the union whenever the men entertaining this design should no longer be able to control its government. So long as they could enjoy its honors and emoluments, and use its prestige, its treasury, its army and its navy for their own purposes, they were content that it should stand; but the moment these were wrested from their grasp by the will of the people, that moment the union was to be destroyed.

So long ago as the year 1799 Judge Marshall in a letter to Washington, dated at Richmond, remarked:

"To me it seems that there are men who will hold power by any means rather than not hold it, and who would prefer a dissolution of the union to the continuance of an administration not of their own party." And Mr. Stephens declared in regard to the present conspiracy that the ambition of disappointed office-seekers constituted "a great part of the trouble."

General Jackson, after the South Carolina rebellion of 1832 was suppressed, foretold its attempted revival at no distant period, remarking that "the first time the pretence was the tariff, and that next it would be the negro question."

In 1836, twenty-five years ago, a political novel called the "Partizan Leader," was published by Professor Beverly Tucker, of William and Mary College, in Virginia. It excited no sensation then, but it possesses a singular interest now. It proceeds upon the theory that the events it describes as then happening would happen twenty years after, that is, in 1856, when Fremont would have probably been elected but for the frauds in Pennsylvania; and it gives, with singular accuracy, the programme of the conspiracy which is now in progress. The author describes

the southern states as seceding "by a movement nearly simultaneous," and immediately forming a southern confederacy. Let me quote a single paragraph :

"The suddenness of these measures was less remarkable than the prudence with which they had been conducted. The two together left little doubt that there had been a preconcert among the leading men of the several states, arranging previously what should be done. * * Nor was it confined to the seceding states alone. In Virginia also there were men who entered into the same views. * * Not only had they sketched provisionally the plan of a southern confederacy, but they had taken measures to regulate their relations with foreign powers."

What a flood of light is thrown upon the conspiracy by these few words from one of the earliest of the conspirators, who seems to have anticipated in part the rôle to be played by his own state of Virginia.

There being indications of her ultimate accession to the confederacy, the author says :

"The leading men" referred to "had determined to wait for her no longer, but to proceed to the execution of their plans, leaving her to follow."

Could the acute novelist have anticipated the proceedings of the pseudo-peace convention and the conduct of Virginia traitors, headed by an ex-President Tyler and an ex-Governor Wise, he might have eulogised the leaders of the ancient dominion for their treacherous skill in deluding the country with schemes of compromise while the preparations of the rebels were advancing to completion.

Mr. Everett, who was a warm advocate for the peace convention, has told us that "those conciliatory demonstrations had no effect in staying the progress of secession, because the leaders of that revolution were determined not to be satisfied."

In reference to the measures referred to by Professor Tucker, looking towards the relations of the new confederacy with foreign powers, it may be worth while to allude to a recent statement, that in the days of Mr. Calhoun a plan for the dissolution of the union and the formation of a great slaveholding power, was presented by his friends to Lord Aberdeen, and that some words

attributed to that statesman, are supposed to have given rise to the hopes of British sympathy, in which southern politicians have so frequently indulged. It is said on high authority that at different times, and especially in 1851, these projects have been broached to members of the British ministry, and that on that occasion they were disclosed by Lord Palmerston to our minister, Mr. Abbott Lawrence, and that the southern commissioners disheartened by the coolness with which their overtures were received, and also by the fate of the Lopez expedition, returned discomfited to the United States.

In 1857 Mr. Mason, of Virginia, announced as a fact, on the floor of the senate, that the British government had changed its opinion on the slavery question, but an early occasion was taken by that government to contradict the assertion of Mr. Mason, the Duke of Argyll declaring that he was instructed by her Majesty's ministers to do so.*

Blind as we have all been to the catastrophe that awaited us, unconscious as were the people, both at the north and at the south, of this preconcert among a few leaders in the different states, we can now trace step by step the progress of the conspiracy and read the history of the last thirty years without an interpreter; we can understand the motive of the Texan rebellion, the war with Mexico, the persistent efforts to secure Cuba, the filibustering expeditions to Central America and the determination to re-open the African slave trade. We can appreciate, too, the caution with which the plan of the rebellion was concealed, and especially the adroitness with which the people were allowed no time for reflection, no opportunity for action, their consent assumed on the plea of necessary haste, and the acts of secession pushed through the conventions, as charged by the Georgian editor, with no regard to popular rights and under circumstances of excitement and frenzy, by fictitious majorities.

The doctrine of secession, earnestly as it had been advocated, failed to convince the capitalists, the planters, and the common-sense statesmen of the South—even in South Carolina.

A few years since Mr. Boyce of that State, late a member of

* See a letter dated London, December 10, 1858, published and endorsed by the *Commercial Advertiser*, January 30, 1861.

the house of representatives, in an address to the people, after shewing that by secession they would lose the vitality of a state, that they would exist only by tolerance, a painful and humiliating spectacle, that it would involve a sacrifice of the present without in anywise gaining in the future, emphatically declared, "such is the intensity of my conviction on the subject, that if secession should take place, of which I have no idea, for I cannot believe in such stupendous madness, I shall consider the institution of slavery as doomed, and that the great God in our blindness has made us the instrument of its destruction."

Even so late as the autumn of 1860 and after the presidential election that announced the defeat of the slave power which had so long ruled the country, the leading men of the South who had not been in the plot battled manfully against it. On the 14th of November last, Mr. Stephens of Georgia, now the vice-president of the rebel confederacy, delivered a long and able speech in the Georgia house of representatives in which, in answer to the question whether the Southern states should secede in consequence of Mr. Lincoln's election, he said :

"My countrymen, I tell you frankly, candidly, and earnestly, that I do not think that they ought."

Reminding them of the sacred obligation resting on them to be true to their national engagements, he exclaimed :

"If the republic is to go down, let us be found to the last moment standing on the deck, with the Constitution of the United States waving over our heads." And this sentiment was greeted with applause.

He expressed his belief that Mr. Lincoln would do nothing to hazard their safety or security, and shewed them the wisdom of our system with its checks and guards. He reminded them that the president was powerless unless backed by congress—that the house of representatives was largely against him, and that there would be a majority of four against him in the senate, and referring to a remark that no Georgian, who was true to his state, could consistently hold office under Mr. Lincoln, reminded them that such office could be honorably held, for it would be conferred by the approval of a democratic senate—and this exposition was received with "prolonged applause."

Mr. Stephens frankly avowed that he would never submit to any republican aggression on their constitutional rights to preserve the union, but insisted that all their rights could be secured in the union, and emphatically declared, "That this government of our fathers with all its defects, comes nearer the objects of all good governments than any other on the face of the earth, is my settled conviction." * * "Have we not at the South, as well as at the North, grown great, prosperous, and happy under its operation? Has any part of the world ever shewn such rapid progress in the development of wealth, and all the material resources of national power and greatness as the Southern States have under the general government, notwithstanding all its defects?"

Mr. Stephens then, with philosophic skill, shewed that the institutions of a people constitute the matrix from which spring all their characteristics of development and greatness. "Look," he said, "at Greece. There is the same fertile soil, the same blue sky, the same inlets and harbours, the same Egean, the same Olympus; there is the same land where Homer sung, where Pericles spoke; it is the same old Greece—but it is living Greece no more." He pictured its ruin of art and civilization, and traced that ruin to the downfall of its institutions. He drew the same lesson from Italy and Rome, once mistress of the world, and solemnly warned them that where liberty is once destroyed it may never return again.

Coming back to the state of Georgia he referred to the anxiety of many there in 1850 to secede from the Union—and shewed that since 1850 the material wealth of Georgia, as a member of the Union, had nearly if not quite doubled.

He spoke of the prosperity in agriculture, commerce, art, science, and every department of education, physical and mental, and warned them against listening to the like temptation as that offered to our progenitors in the Garden of Eden—when they were led to believe that they would become as gods, and yielding in an evil hour saw only their own nakedness.

"I look," he said, "upon this country, with its institutions, as the Eden of the world, the paradise of the universe. It may be that out of it we may become greater and more prosperous; but

I am candid and sincere in telling you, that I fear if we rashly evince passion and without sufficient cause shall take that step, that instead of becoming greater or more peaceful, prosperous and happy — instead of becoming gods, we will become demons, and at no distant day commence cutting one another's throats."

There, my countrymen, we have the testimony of the vice-president of the rebel confederacy, and the fact that Mr. Stephens, like our progenitors of whom he spoke, yielded to temptation and became a chief abettor of the scheme of ruin which he so strongly deprecated, detracts nothing from the value of this remarkable speech. His treachery proves only his own weakness; it impeaches neither the truth of his facts, the aptness of his illustrations nor the conclusions to which he was led by his historic experience and irresistible logic.

Already in South Carolina, first and chiefest of the seceding states, have men professing to be respectable, men whose names connect them in past generations, with Englishmen of gentle blood and Huguenots of heroic fame, men who for years have borne in foreign climes the proud title of American citizens, and who know the simple dignity of the American republic among the nations of the earth, — already are these men, since they discarded the protection of the federal government, so lost to self respect that they are not only ready to submit to a foreign yoke but, according to their eulogist, Mr. Russell, in a paragraph I will presently quote, they actually whimper like children for the privilege of becoming the vassals of an European princelet.

We have glanced at the secret history of the conspiracy. Now, let me ask, on what ground does this usurping confederacy ask to be recognized as independent and admitted to the family of nations?

In the convention of South Carolina, in reply to an objection that the declaration reported by the committee dwelt too much on the fugitive slave law and personal liberty bills, as giving it the appearance of special pleading, Mr. Memminger said: "Allow me to say to the honorable gentleman, that when you take position that you have a right to break your faith, to destroy an agreement that you have made, to tear off your seal from the document to which it is affixed, you are bound to justify yourself

fully to all the nations of the world, for there is nothing that casts such a stain upon the escutcheon of a nation as a breach of faith."

In this Mr. Memminger was clearly right, and the alleged breach of faith by the North, touching the execution of the fugitive slave law was resorted to as affording a plausible pretext for seceding from the union. But the debates shew that this pretext was a sham, and Mr. Rhett frankly declared that he regarded the fugitive slave law as unconstitutional, and that Mr. Webster and Mr. Keitt had expressed the same opinion.

You have seen, too, from Mr. Stephens, that all the constitutional rights of the South were protected within the union—and that the South was indebted to the union for her safety, prosperity and happiness.

What then is the real ground on which the breach of faith committed by the seceding states is to be justified, if it can be justified at all; on what ground is it recommended to the prejudices of the South and to the impartial judgment of the world?

After secession was an accomplished fact, so far as their conventions could manage it by usurped authority and fictitious majorities, and Mr. Stephens had become not only a member but a prominent leader of the conspiracy, he said at Atlanta:

"The foundations of our new government are laid, its cornerstone rests upon the great truth that the negro is not equal to the white man; that slavery, subordination to the superior race is his natural and moral condition. This our new government is the first in the history of the world based upon this great physical, philosophical and moral truth."

Mr. Stephens enlarged upon this distinguishing characteristic of the government, to establish which the union was to be dissolved, sneered at the principle that all men are equal, enunciated by our fathers in the declaration of independence "as the pestilent heresy of fancy politicians"—declared that "African inequality and the equality of white men were the chief cornerstone of the southern republic!" and claimed that with a government so founded "the world would recognize in theirs the model nation of history."

Here we have their only apology for this rebellion, stripped

of all shams and disguises, and thus at length in the latter half of the nineteenth century, stand face to face in deadly conflict the antagonist systems of the new world.

"All men," said the founders of the American republic, "are created free and equal and endowed with certain inalienable rights, among which are life, liberty, and the pursuit of happiness." "Let it ever be remembered," said the continental congress, "that the rights for which we have contended were the rights of human nature," and on that foundation arose the fair fabric of our liberties.

The dark shadow arises of another confederacy which Davis and Keitt and Floyd and Toombs are striving to establish on the ruins of the republic erected by Washington and Franklin and Hamilton and Jefferson, and the one great plea with which this new power seeks to recommend itself to the Christian world, is the assumption that the white man was born to be the master and the black man was created to be his slave

The attempt of the slavery insurrectionists to bring into contempt the great principle of the declaration of independence, and their characterizing the men who uttered it and the men who believe in it as "fancy politicians," shews how absolutely antagonist in their principles were those who rebelled in '76 against unconstitutional acts of parliament, and those who in '61 are rebelling against the constitution of the United States. Even in the august year which we are met to celebrate, the principles and reasonings of our fathers commanded the admiration of Europe, and called forth in the house of Lords that magnificent eulogy of Chatham, when he said that for himself he must declare that he had studied and admired the free states of antiquity, the master states of the world: but that for solidity of reasoning, force of sagacity and wisdom of conclusion, no body of men could stand in preference to the congress of Philadelphia.

Whatever may be the future of America the past is safe.

The confederates of the slave republic, unrivalled as may be their skill in robbing us of material wealth and power, cannot rob the founders of our union of their glory—cannot filch from us the treasures we possess in their great principles, cannot les-

sen by the tithe of a hair, the truth and force of their example.

On the contrary, the formation of the Southern confederacy adds new proof to their farsighted and prophetic sagacity. Look at the rebel states, plunged into anarchy and war by Jefferson Davis, with a fettered press, free speech silenced, forced loans, and an army enlarged by conscription, and then listen to a single passage from William Pinkney, the great orator of Maryland, which occurs in a speech made in the Maryland house of delegates, in 1789: and remember as you listen to it the proof I have already given you that the so-called Southern confederacy is a military despotism, extemporized and precipitated on the people of the South, who have never been allowed to express their will in regard to the substitution of the Montgomery constitution, for the ancient constitution and government which the confederates are striving to destroy.

Said Mr. Pinkney:

"That the dangerous consequences of the system of bondage have not as yet been felt does not prove that they never will be. * * To me, sir, nothing for which I have not the evidence of my senses is more clear than that it will one day destroy that reverence for liberty which is the vital principle of a republic.

"While a majority of your citizens are accustomed to rule with the authority of despots within particular limits, while your youth are reared in the habit of thinking that the great rights of human nature are not so sacred but they may with innocence be trampled on, can it be expected that the public mind should glow with that generous ardor in the cause of freedom which can alone save a government like ours from *the lurking demon of usurpation*? Do you not dread contamination of principle? Have you no alarms for the continuance of that spirit, which once conducted us to victory and independence when the talons of power were unclasped for our destruction? Have you no apprehension that when the votaries of freedom sacrifice also at the gloomy altars of slavery, they will at length become apostates from the former? For my own part, I have no hope that the stream of general liberty will flow forever unpolluted through the foul mire of partial bondage, or that they who have been

habituated to lord it over others, will not in time be base enough to let others lord it over them. If they resist it will be the struggle of *pride and selfishness*, not of *principle*."

The hour so philosophically predicted seventy-two years ago has come. The usurping hand is lifted against the most benignant government the world has ever seen. The usurpation is unresisted, the country is precipitated into war: and popular government overthrown and a military rule established, the people, it would seem, have cast to the world the historic memories we this day meet to celebrate. Mr. Russell, the correspondent of the London *Times*, now travelling at the South, treated with every attention, charmed with their courtesy, and evidently inclined to regard their rebel movement with a favorable eye, writes from South Carolina on the 30th April, and makes this sad disclosure: "From all quarters have come to my ears the echoes of the same voice; it may be feigned, but there is no discord in the note, and it sounds in wonderful strength and monotony all over the country. Shades of George III., of North, of Johnson, of all who contended against the great rebellion which tore these colonies from England, can you hear the chorus which rings through the state of Marion, Sumpter and Pinckney and not clap your ghostly hands in triumph? that voice says 'If we could only get one of the royal race of England to rule over us we should be content.'"

Let me say next a word of the means by which a conspiracy so contemptible in its origin, so destitute of moral weight and of popular support has attained to its present dimensions, ousting the federal government of its jurisdiction in more than half of our national territory to the East of the Rocky Mountains, and obtaining possession of arsenals and navy yards and fortresses, seventeen in number, which had cost the American people more than seven millions of dollars.

On the 29th October, 1860, before the presidential election, lieut. general Scott wrote a letter to president Buchanan in which he referred to the secession excitement which the leaders of the conspiracy were actively fanning at the South, and remarked, that if this glorious union were broken by whatever line political madness might contrive, there would be no hope of reuniting

the fragments, except by the laceration and despotism of the sword. Pointing out the danger, he proceeded to point out the prevention.

“From a knowledge of our southern population,” he said, “it is my solemn conviction that there is some danger of an early act of rashness preliminary to secession, viz.: the seizure of some or all of the following posts: Forts Jackson and Philip in the Mississippi, below New Orleans, both without garrisons; Fort Morgan, below Mobile, without a garrison, Forts Pickens and McRae, Pensacola harbor, with an insufficient garrison for one; Fort Pulaski below Savannah, without a garrison; Forts Moultrie and Sumpter, Charleston harbor, the former with an insufficient garrison, and the latter without any, and Fort Monroe, Hampton Roads, without a sufficient garrison. In my opinion all these works should immediately be so garrisoned as to make any attempt to take any one of them, by surprise or *coup de main*, ridiculous.

“With an army, faithful to its allegiance and the navy probably equally so, and with a federal executive for the next twelve months of firmness and moderation, which the country has a right to expect—moderation being an element of power, not less than firmness—there is good reason to hope that the danger of secession may be made to pass away without one conflict of arms, one execution or one arrest for treason.”

Gentlemen, lieut. general Scott knew well, we all know, that what he recommended Mr. Buchanan to do an honest executive might have done. Again and again in the history of our country have attempts been made to resist the execution of the laws, and again and again has the federal government triumphantly vindicated its supremacy.

The first armed rebellion was that headed by Shay in Massachusetts in the Winter of 1787. The rebels attempted to seize the arsenal, and were met with cannon that killed three and wounded another of their number, and the state militia, under the command of Gen. Lincoln routed their forces, taking many prisoners, and peace was restored, not by any compromise but by the enforcement of the laws.

As a Lincoln suppressed the first rebellion, so will a Lincoln suppress the last.

You will readily call to mind other similar occasions, where the federal government by prompt action maintained its supremacy unimpaired.

Next came the whiskey rebellion in Pennsylvania during the administration of Washington, to suppress which the president called out fifteen thousand men from three different states led by their governors and general Morgan, whom Washington at first proposed himself to accompany across the Alleghanies.

Next president Jefferson crushed in the bud the opening conspiracy of Aaron Burr.

President Madison during the war of 1816, when doubts were entertained of the loyalty of the Hartford conventionists, who were falsely reported to be in correspondence with the enemy, stationed major Jessup, of Kentucky, at Hartford with a regiment to suppress any sudden outbreak. Gen. Jackson, about the same time in New Orleans, proclaimed martial law in consequence of attempts by the civil authorities to embarrass the necessary measures of defence.

President Jackson, in 1832, repressed by the arm of general Scott, and amid the hearty applause of the nation, the defiant nullification of South Carolina, and president Tyler, in 1843, with the approval of his secretary, Mr. John C. Calhoun, sent United States troops to Rhode Island to suppress the state revolution organized by a majority of the people of the state, but in violation of the existing state constitution, under the leadership of governor Thomas W. Dorr.

When in 1860 general Scott, in advance of any outbreak, recommended president Buchanan to reinforce the forts, instead of recommending active measures of interference, such as his predecessors whom I have named did not hesitate to take, he simply asked of the president to do what any intelligent school boy could see was absolutely proper and essential—and what he could accomplish by a single word. Mr. Buchanan guided by his secretary of war, the traitor and thief John B. Floyd, refused to order the reinforcement of the fortresses; all the forts named by general Scott, excepting fort Pickens, were seized by the confederates;

and on the fact of their quiet possession, and the aid and comfort thus given to the rebels by the federal cabinet, was based the secession of the traitorous states and the formation of the new confederacy.

The fact thus becomes clear as day, that not simply all the strength the rebel confederacy originally possessed but its very organization and existence, were due not to the people of the South, on whom without their sanction it was precipitated, nor to the leaders, skillful as they may have been, who had neither arms nor armies to overpower the government, but they were due to the federal executive and his advisers of the cabinet. This fact is so interesting as a matter of history, it is so important to a right understanding of the whole subject, and bears so clearly upon the question, what is our duty as citizens and what the policy of our government, as regards the tolerance or suppression of this rebellion, that you will allow me to quote one authority upon the point from among the rebels themselves.

The Richmond *Examiner* in an elaborate eulogy of Floyd, who in the extent and infamy of his treachery certainly excelled his fellow traitors in the cabinet, makes this plain avowal. "All who have attended to the developments of the last three months and knew aught of the movements of the Buchanan administration up to the time of Floyd's resignation, will justify the assertion that the southern confederacy would not and could not be in existence at this hour, but for the action of the late secretary of war.

"The plan invented by general Scott to stop secession was like all campaigns devised by him, very able in its details and nearly certain of general success. The Southern states are full of arsenals and forts commanding their rivers and strategic points: general Scott desired to transfer the army of the United States to these forts as speedily and as quietly as possible. The Southern states could not cut off communication between the government and the fortresses without a great fleet, which they can not build for years; or take them by land without one hundred thousand men, many hundred millions of dollars, several campaigns, and many a bloody siege. Had Scott been able to

have got these forts in the condition he desired them to be, the southern confederacy would not now exist."

Such is the truth fairly stated by the *Richmond Examiner*, in the interest of the rebels. The union has been severed, not by violence from without, but by treachery within. It has been convulsed from its centre to its circumference, not from any internal weakness in our federal system, but by the infernal villainy of our federal rulers.

Traitors have betrayed the union, traitors have betrayed our forts; and the betrayal no more proves moral weakness in the one case than it does material weakness in the other. There is no fortification so impregnable but that a traitorous governor may yield it without a blow—neither is there any government on God's earth, that secret treachery may not enfeeble or temporarily overthrow.

"If," said Webster, "those appointed to defend the castle shall betray it, woe betide those within. Let us hope," he added, and how vain the hope as regards ourselves! "that we shall never see the time when the government shall be found in opposition to the constitution, and when the guardians of the union shall become its betrayers."

I do not mean to say, gentlemen, that president Buchanan, who, at the close of his administration partially redeemed its character, by calling to his counsels those brave men and true patriots, Mr. Holt and general Dix, was personally privy to the designs of the false secretaries whom they replaced: but it is nevertheless true that he is the man who, under the constitution, is directly responsible to the American people for the acts of his administration.

In his position timidity was treason and inaction was crime. He alone could execute the laws, he had the power to execute them, and he did not execute them; and for the simple want of their non-execution the country drifted rapidly towards destruction. This was a case which the founders of our republic had not anticipated. As Mr. Sherman, of Ohio, aptly said, "the constitution provided against every probable vacancy in the office of president, but did not provide for utter imbecility."

I am aware that Mr. Buchanan's friends attribute his conduct

in the whole matter to an amiable credulity and a humane desire to avoid the shedding of a drop of blood. I am sure that none of us would wish to deprive him of whatever benefit he may derive from the plea of virtuous motives, but allowing them all the force they are entitled to, we must still exclaim :

“Curse on his virtues, they’ve undone his country !”

For no other of the confederates in this great villainy will the candid historian venture with success, the apology of mental imbecility or moral cowardice. They are men who make the boast that for long years it has been the aim of their existence to overthrow, not by open and honorable opposition, but secretly, traitorously, and by subornation of treason, the most benignant government in the world, and one to which they were bound by solemn oaths and by sacred honor. They are men who, pretending to be gentlemen, have made conspiracy a trade and perjury a habit. They have blended professions of patriotism with the practice of treason, linked the duties of a senator with the position of a spy, and made a seat in the cabinet the office of a thief. With a refinement of meanness that could belong to no chivalry but that of slaveholding, and would be practised by no knights save those of “the golden circle,” they have to the last moment drawn their official salaries from the nation they were betraying ; they have perfected their schemes of plunder in the very capital which they were seeking to cripple, and beneath the folds of the flag that they were swearing to support and plotting to humble. They are men in brief—for the subject is a revolting one—who, imitating Judas and rivalling Arnold, have made their daily life simply and purely a daily lie.

Did time permit me, I would like briefly to refer to the national events that, following in quick succession, have interrupted what Mr. Seward happily calls “the majestic march of our national progress ;” the successive seizure of Southern forts in obedience to telegrams from the senate chamber, the spread of Southern treason like the wild fire of the prairies, the consternation of the people, the apathy of the executive, the plot to seize the capitol, intended to be executed in January and repeatedly postponed till the attempt involved too serious danger, the systematic efforts in the departments of the treasury, of the interior,

of war, and I fear also, of the navy, to cripple the United States, to strengthen the rebels, and to close the term of the administration by a *coup d'état*, that should give to the new confederacy the power and the prestige of the old government, and the preparations made by northern confederates whom the rebels had been taught to believe represented the great northern democracy, for assisting the plot and joining at the right moment in a general revolution.

Lost themselves to a sense of honor, they ceased to believe in its existence at the North. They seem to have been unable to distinguish between a defence of the constitutional rights of slaveholders within the union and under the constitution, and a war in behalf of slavery for the severance of the union, the overthrow of the constitution, the desecration of our flag, and the humiliation of our country. Then came the interruption of their plans by the premature discovery of the theft of the Indian bonds and other villanies, compelling the retirement of the traitorous secretaries Cobb, Thompson and Floyd: the advent of Holt and Dix reviving the hopes of the nation, and the immortal order of the latter, which rung like a trumpet through the land, "If any man shall attempt to pull down the national flag shoot him on the spot."

Then came the official announcement to the country, by the counting of the electoral votes, of the people's choice, next the safe arrival of Mr. Lincoln in Washington, unharmed by the assassins who had sworn to take his life; then the inauguration, simple and imposing, the oath administered by the chief justice of the United States, and the quiet transfer of such remnants of the federal property as had not been stolen from the people under the retiring administration.

A month of apparent inaction on the part of the new administration, engaged in disentangling the web of treachery, and learning how much of treason lingered in the departments—a month of active preparation by the rebel confederates, and we began to hear the bitter taunts of England at the spiritless people of the great North who were being driven to dissolution and infamy without an effort at resistance, and relinquishing

their nationality to a rebellion without striking a blow in its defence.

We had a brief foretaste of the ignominy that awaits a nation which basely surrenders its integrity and its independence, and we heard the prelude of the shout that would greet the downfall of the union, and the epitaph that should record :

* * “ But yesterday it might
Have stood against the world ; now lies it there
And none so poor to do it reverence.”

Assured of the integrity and patriotism of the President and the wisdom of his cabinet, the North waited as only a brave people, conscious of their strength and of the justice of their cause could afford to wait. The strength of the government was gradually developed, the war and navy departments began to exhibit signs of life—and the great statesman of the West, who sacrificing political ambition and personal preferences, had consented to preside over a depleted Treasury, renewed the miracle attributed by Webster to Alexander Hamilton : “ He smote the rock of the national resources, and abundant streams of revenue gushed forth. He touched the dead body of the public credit, and it sprang upon its feet.”

Desperate as our situation seemed, capitalists demanded no other security than the name of Chase, and when he asked for a loan of eight millions, more than thirty millions were instantly offered.

Gentlemen, I have not time to dwell on the attack on Sumpter, the attack of ten thousand men on one hundred men, and the ill-judged boast of Governor Pickens that they had humbled the star-spangled banner for the first time in seventy years. They themselves by that act and that boast initiated an irresistible conflict that will hardly cease till the stars and stripes again float in their beauty from every fortress in our land.

That bombardment, as was remarked by one of the Judges of the supreme court, “ blew all the plots of the traitors into the air, and inaugurated a change in the sentiment of the country that seemed all but miraculous.” It awoke the deep love of country which had slumbered beneath the platforms of party and com-

mercial interest. It ended at once the absurd cry of "no coercion," as applicable to a government in enforcing its laws, and protecting its existence. The rebels by that act closed the door of compromise and reconciliation which had thus far been kept open. They rejected the appeal to a convention of the American people, to which the president in his inaugural had assented—they selected instead the arbitrament of force, the great trial by battle. They struck at the very heart of the nation when they sought to humble the flag of our union that had protected them from infancy, and which from childhood we have loved. They themselves inaugurated war. They imposed upon us the most sacred duty that can devolve upon a people of protecting their nationality, and the world that had wondered at a forbearance which they could not understand, now wondered again at the spontaneous uprising of a mighty nation.

The threatened attack on Washington, the disloyalty of Baltimore, the cutting off of all communication by railroad and telegraph between the national capital and the great North, completed the work begun at Sumpter.

Party lines grew faint and vanished as completely as though they had never existed. Washington has been described as leaning in the darkest hour of the revolution, with one arm resting on Massachusetts, and the other on North Carolina. The faithlessness of the latter to her historic memories, prevents the parallel being now complete, but we may say of Lincoln what can be said of no other president since Washington, that in this dark hour he rests with one great arm upon his political friends, and the other on his political opponents, and that, as he looks abroad over the country whose destinies are in his keeping, he sees neither republicans, nor democrats—neither nativists, nor aliens—he sees but two classes, loyal citizens on the one side, and traitors on the other.

The feeling exhibited throughout the loyal states is not as some Europeans have supposed, an ebullition of enthusiasm, based upon sudden and evanescent passion, but the expression of a profound conviction gradually forced upon them by a long train of facts that culminated at Sumpter, that both duty and

honor imperatively demand that they shall crush this gigantic conspiracy against the integrity of the country.

It was this that, within six weeks, called forth, as if by magic, an army of 200 000 men converting our cities into camps and making the repression of this rebellion the one great business of the American people.

The scene has been one which, day by day, has thrilled us with emotion, one upon which the Bancroft and the Motley of the next century will linger with admiration.

Massachussetts first in the field, as in the olden days of trial, shedding the first blood at Baltimore, first to occupy and protect the capital, where her great senator was stricken down, against the traitors, whose hatred to him foreshadowed their hatred towards the American constitution, of which he had been the faithful and eloquent expounder.

New York, "herself the noblest eulogium on the union," following close behind with her gallant Seventh, reaching Washington by a march already famous, and insuring by their presence the safety of the Capital. The New England states, Pennsylvania and the great west, pouring in their quotas with generous rivalry, and our foreign population rising instantly to the grandeur of the occasion, and hastening to the defence of their adopted country, present features of strength in the American republic of which the most ardent of its eulogists had hardly dreamed.

If any man has regarded our large foreign element as one that threatened danger to the perpetuity of popular institutions, let him glance at the regiments now gathering to battle in their behalf. He will find among them men who have fought for freedom in other lands, and who have pined for their love of it in continental dungeons. He will find scholars from far-famed universities, and graduates of the military schools of Europe who have emerged from positions in which they were gaining an independency to proffer to their country their dear bought experience, and guide and instruct the military ardour that sweeps like a whirlwind over the land. Call the roll of nationalities and you will have responses from England and Ireland, Scotland and Wales, from natives of catholic France and protestant Germany

—you will have replies from Poles who yet dream of an independent Poland, from Hungarians in whose ears still lingers the eloquence of Kossuth, from Italians rejoicing in a regenerated Italy, and who are fresh from executing the policy of the lamented Cavour and from fighting by the side of Garibaldi. Every people of Christendom has its representatives in the army of the union that has gone forth to fight for national unity, national independence and the rights of human nature, against the confederated forces of slavery and treason.

In this crisis of our national history it is natural that we should regard with interest the view taken of our course by the great powers of Europe, and especially by that country, with which, as colonies, we were so long connected, and which, despite the two wars that have been waged between us, we are accustomed to remember as our mother-land. Mingled with our Dutch and Huguenot ancestry, a very large proportion of the older families of America trace their descent from England, and many who do not are yet connected with her by no common ties. For myself, I may say that I have always entertained for her people an hereditary feeling of attachment, from the fact that my Huguenot ancestors, when they fled from Rochelle after the revocation by Louis XIV. of the edict of Nantz, found upon her soil a welcome and a home: and that one of them volunteering for King William against James II., shed his blood for English freedom at the battle of the Boyne, that great era in English history, ending, as we hope forever her civil wars, from which dates the establishment on a firm basis, of the unity, the strength and the world-wide dominion of the British empire. Such memories, and doubtless, my countrymen, you have many such, descend from father to son undimmed by national revolutions. They inspire sentiments of affection and kinship, that like family heir-looms gather new value from the lapse of time, and instead of fading as years and centuries roll by, seem the more sacred and imperishable from the thought of the generations by whom they have been cherished and who have each in turn added a link to the chain of association.

The recent visit of the prince of Wales, coming to us as the representative of the British nation, characterized, as it was, by

the most graceful courtesy and cordiality on his part, and by the heartiest welcome upon ours, with the single exception of the rude treatment he met at Richmond—now the head-quarters of the rebels—had accomplished what no diplomacy could have effected. It seemed to have blotted out the last lingering remnant of ill-feeling, and left on this side the Atlantic at least, the belief that henceforth there was a firm alliance between England and America, not based on treaty stipulations, but upon that heartfelt cordiality which springs from mutual regard, and from a common devotion to the great principles of right which belong to the institutions of both countries and which their example is recommending to the world; nor should we overlook the belief cherished by many thoughtful men that if in the distant future England should be set upon by the despotisms of Europe, and should require the aid of her American daughter to save her from annihilation, that aid would be promptly, effectively and cordially given.

It is with profound regret that we have seen that friendly feeling suddenly converted into one of intense and bitter disappointment by the conduct and tone of the English government and the ill-judged comments of the English press.

The election of Mr. Lincoln for the first time entitled to the control of the federal government, a party with whose political principles the English people were supposed to sympathize. By a scheme of treachery unparalleled in baseness, a few of the defeated faction holding office in the cabinet, in congress, in the army and in the navy, conspire together to betray the forts arsenals and other property of the government into the hands of their confederates, with the view of destroying the union, and erecting upon its ruins a Southern confederacy, of which slavery is to be the grand permanent and distinguishing characteristic. They accomplish the seizure of the public property without difficulty, for they themselves were entrusted with its guardianship, and they proceed to develop the great conspiracy and organize the rebel government, while the loyal citizens of the United States are helplessly compelled to await the inauguration of the new president. The 4th of March arrives at last, Mr. Lincoln takes the oath to maintain the constitution and the laws, and

when in obedience to that oath he orders the rebels to disperse, and calls upon the country for assistance, the loyal states, as one man, prepare to crush the conspiracy and restore the integrity and the honor of the nation. Neither from England nor from any foreign power have we asked or would we accept assistance in regulating our own household, but from England, of all the states of the world, we thought we had a right to expect a ready sympathy, and that moral support which is given by the countenance of a great nation.

The Southern rebels also counted upon the support of England, on the simple ground that her interest in cotton would incline her to their side, but we, although well aware of the demoralizing effect of interest upon national principles, still believed it impossible that the British government could consent from pecuniary motives to look with complacency on the progress of a rebellion whose only strength was gained by treachery, and which was avowedly prosecuted for the maintenance of a system which England herself had taught the world to regard with abhorrence. In thus believing, we were confirmed by the tone of the English press when the insurrection first began, one of the ablest representatives of which indignantly declared in substance that Manchester and Birmingham would be the first to reject as an insult, the idea that they were to be moved from their position by pecuniary appeals, and that if any British cabinet should sacrifice the anti-slavery principles of the nation to the question of cotton, England would lose, and deservedly lose, her place at the council table of Europe.

The exclamation of Lord John Russell in reply to a question as to the position of England, "For God's sake let us keep out of it," was followed by what is termed a proclamation of neutrality in which British subjects are forbidden to render assistance to either the United States on the one hand, or the states calling themselves the Confederate States on the other, both of which parties are recognized by the proclamation as "belligerents."

The British government is accustomed to preserve an attitude of neutrality towards contending nations, but it would seem that neutrality does not so far interfere with the sympathies and free-

dom of its subjects as to compel it to issue proclamations against Irishmen enlisting with Francis Joseph, or Englishmen fighting for Victor Emanuel and Garibaldi.

The proclamation in this case is so warmly eulogized by the British press as precisely the proclamation demanded by the crisis, they profess such profound astonishment that the American people are not satisfied with it, and rate so severely Mr. Cassius M. Clay for expressing with western bluntness his frank surprise, that I will dwell for a moment on what seems to be its meaning and effect.

What has the proclamation effected? How did we stand before it was issued, and how do we stand now?

In the case of the United States, the laws of England and its treaty stipulations with our government already forbade its subjects from engaging in a conspiracy to overthrow our institutions. The proclamation, therefore, in forbidding English subjects to fight in the service of the rebels against the United States, simply declared the law as it was already understood; while in forbidding Englishmen to fight for the United States against the rebels, it intervened to change the existing practice, to revive the almost obsolete act of Geo. III. forbidding English subjects from engaging in foreign service without the royal consent, which had slumbered in regard to Austria and Italy, for the purpose of forbidding Englishmen from assisting to maintain in the United States constitutional order against conspiracy and rebellion, and the cause of freedom against chattel slavery.

The first effect of the proclamation, therefore, was to change the position in which England and Englishmen stood to the United States, to the disadvantage of the latter. Before the proclamation, for an Englishman to serve the United States government in maintaining its integrity was regarded honourable; after the proclamation such service became a crime. The proclamation makes it an offence now for an Englishman to fight for the government at Washington as great as it was for Englishmen before the proclamation to fight for the rebels of Montgomery. It thus, in a moral view, lowered the American government to the level of the rebel confederacy, and in the next place, it proceeded, in an international view, to place the rebel confederacy

on a par with the American government by recognizing them, not as rebels and insurgents to be dealt with by our government as our constitution and laws should determine, but as a *belligerent* power, to be classed with the United States (of which they were but a rebellious fraction), and equally entitled with the United States to the rights of belligerents under the law of nations.

No ingenuity can blind us to these facts:—Before the proclamation, to support our government was an honorable office for the subjects of Great Britain, and the rebels were insurgents with no rights save under the American constitution. After the proclamation for an Englishman to serve the United States is a crime and the rebels are elevated into a belligerent power—and this intervention of England, depriving us of a support which her practice permitted, and giving the rebels a status and right they did not possess, we are coolly told is neutrality. Dr. Johnson in his famous letter gave us a sketch of a Chesterfieldean patron seeing a man struggling for life in the water, and when he reached ground encumbering him with help. Lord John has taught us the meaning of British neutrality towards a nation supposed to be in like condition. Let us trust that the English people will not endorse the definition.

What would England have said to such a proclamation of *neutrality* from us in her domestic troubles in Canada, in Ireland or in India? What would the English people have thought of a state paper from Washington, declaring it the sovereign will of the people of the United States to remain perfectly neutral in the contest being waged in Hindostan between the British government on the one side and the Mogul dynasty on the other, and forbidding American citizens to enter the service of either of the said belligerents. What would they have thought of the American president intimating with cold etiquette that it was a matter of profound indifference to this government which of the belligerents should be victorious, the king of Oude and Nana Sahib, or Lord Canning and the immortal Havelock. Or is it that the British have become so enamored of rebellion, aye and of treachery too among their sepoys, that they thus court our great mogul and his fellow traitors of Montgomery?

This Queen's proclamation strikes not simply at the moral

position of our government, but according to the English press it strikes also at our right to execute our own laws against piracy ; and we are told by the *London Times* that if we venture to hang under these laws, a pirate who is licensed to plunder and murder by Jefferson Davis's letters of marque, now endorsed by the sovereigns of England and France, it will be regarded as an outrage by the civilized world ; and this gentle intimation comes to us from a nation who are hardly recovered from the effects of a rebellion, to end which, without staying to ask the opinion of the world, they blew their rebels from the guns.

It was intimated that the British cabinet were puzzled how to act in regard to the United States on the one hand, and her rebel conspirators on the other, and that after a careful search for precedents, one was found in the royal proclamation touching the war between Greece and Turkey, and that on that was based the proclamation which has so displeased and wounded the American people.

It could not have escaped the cabinet in their search for precedents, for we know with what thoroughness such searches are made, that a very similar state of things existed but a few years since between Great Britain and the United States, when the integrity and honour of the British empire were assailed by her Canadian colonists, and she had occasion to learn what in the opinion of the United States constitutes the duties of neutrality towards a friendly nation. Unsuccessful rebellions are soon forgotten, and perhaps many Englishmen may be surprised on being told that the Canadian rebellion was so deeply seated and so widely spread, as seriously to threaten the crown with the loss of the Canadas. Mr. Leader declared in Parliament that all the English government could do, would be to subjugate and hold the principal cities, leaving the country occupied by rebels. The number of British troops under Sir John Colbourne was only 20,000, while the rebels are said to have had 14,000 at Montreal, 4000 at Napiersville, and thousands more in arms in different parts of the Canadas, fierce with indignation at the murder of a party of patriots by Indians in the employ of the British government.

In November '37 two battles were fought between the British

and the rebels, the one at St. Dennis, and the other at St. Charles, which was taken from a force of 3,000 Canadians of whom 200 were killed and 30 wounded.

In December Mackenzie, the head rebel, who seems to have been the prototype of Davis, organized a provisional government, and assuming the right to dispose of "ten millions of acres of land, fair and fertile," took possession of *Montgomery House* near Toronto, with a band of insurgents, and sent a demand to Sir Francis B. Head to dissolve the provincial parliament, and to leave Toronto within fifteen days.

Then came Lord Gosford's proclamation at Quebec, declaring martial law, and denouncing the conspiracy and rebellion, and on the 8th of January 1838 came the first proclamation from president Van Buren. After reciting the efforts made by him and by the governors of New York and Vermont to prevent any *unlawful interference* on the part of our citizens in the contest unfortunately commenced in the British provinces, and that notwithstanding the presence of the civil officers of the United States who by his direction had visited the scenes of commotion, arms and ammunition had been procured by the *insurgents*, in the United States, the proclamation proceeded :

"Now, therefore, to the end that the authority of the laws may be maintained and the faith of treaties observed, I, Martin Van Buren, do most earnestly exhort all citizens of the United States who have violated their duties to return peaceably to their respective homes, and I hereby warn them that any persons *who shall compromise the neutrality of this government by interfering in an unlawful manner* with the affairs of the neighboring British provinces will render themselves liable to arrest and punishment under the laws of the United States," &c., &c.

At the request of Lord Durham, Mr. Van Buren, had directed our commanding officer on Lake Ontario to co-operate in any measures which might be suggested by Lord Durham for rooting out the band of pirates who had their quarters among "the thousand isles," without the slightest regard to the official proclamation of their chief, Mr. William Johnson, holding a commission from the patriot government, that the patriots would carefully respect neutral waters and the rights of all citizens of the United States.

On the 21st November, 1838, president Van Buren issued a second proclamation, calling upon the misguided and deluded persons to abandon projects dangerous to their own country, fatal to those whom they profess a desire to relieve, impracticable of execution without foreign aid, which they cannot rationally expect to obtain, and giving rise to imputations, however unfounded, against the honor and good faith of their own government.

The proclamation further called upon "every officer, civil and military, and upon every citizen, by the veneration due by all freemen to the laws which they have assisted to enact for their own government, by his regard for the honour and good faith of his country, by his love of honour and respect for that sacred code of laws by which national intercourse is regulated, to use every power to arrest for trial and punishment every offender against the laws providing for the performance of our obligations to the other powers of the world."

On the 4th of December, 1838, the president, in his message to congress, declared, "If an insurrection existed in Canada the amicable disposition of the United States, as well as their duty to themselves, would lead them to maintain a strict neutrality, and to restrain its citizens from all violation of the laws which have been passed for its enforcement. But the government recognises a still higher obligation to repress all attempts on the part of its citizens to disturb the peace of a country where order prevails or has been re-established."

Such was the neutrality on the part of the United States towards Great Britain. It recognized the rebels of Canada not as *belligerents*, but as *insurgents*, and it enforced its neutrality not by forbidding its citizens to assist Great Britain to maintain its authority against the insurgents, but by forbidding them to interfere *in an unlawful manner* with the affairs of the provinces.

It needs no intimate knowledge of international law, no study of Grotius, or Puffendorf, or Vattel, or Wheaton, no definitions of the rights of belligerents and privateers from the *Consolato del Mare*, from Lampredi, Galiani, Moser or Hübner, to enable us to appreciate the wide difference between the neutrality we

practiced towards England and her rebels, and that which England has inaugurated against us ; and no refinement of reasoning, nor subtle glosses indulged in by the English press, have at all blinded the American people to the unfriendly character of this royal proclamation.

The recognition of the independence of the southern confederacy is a matter in the discretion of England, and of all foreign nations. When this independence is established as a matter of fact we expect it to be recognized, but England does not so recognize it. She recognizes the confederacy as simply struggling for independence as were the insurgents in Canada, and pending the struggle she volunteers, under professions of neutrality to ignore our constitutional right to subdue them, and to recognize their rebellion as lawful war. Bound to us by treaty stipulations, she elevates them to an equality of position as regards belligerent rights under the law of nations. She places their usurped government, based on treachery and slavery, on a par with that founded by Washington and his associates on the broad consent of the American people. She introduces Jefferson Davis and his confederates to a limited extent into the family of nations, endorses the licenses given by them to pirates whose brutal cupidity is stimulated by bribes of blood money—twenty dollars for every murdered American! and transforms them into letters of marque which the ships of all nations are bound to recognize, respect and obey.

Had she treated them as *insurgents* they would have had no other rights on the sea than had Bill Johnson, the pirate of the St. Lawrence. Having proclaimed them belligerents she has given them a commission not simply to capture American property in American vessels, but to capture on the high seas American property on board of whatever vessel it may be found, and to carry the neutral vessel and cargo into a belligerent port for further examination. She recognizes the right of the men who have robbed our treasury, betrayed our forts and filched our navy yards and arsenals to establish prize courts to decide upon the lawfulness of captures made by their commissioned cruisers, and brought into court for adjudication, and the title to be given by Davis's courts is to be held valid by the law of nations.

This is what the proclamation of neutrality really means. This is the neutrality which England has inaugurated and which France has adopted ; and those two great powers who recently declared in the congress at Paris that privateering is and shall remain abolished,—by royal and imperial proclamation have countersigned letters of marque for the destruction of American ships, and which threaten with spoliation the commerce of the world. The aim and effect of the British proclamation seems to us so clearly unfriendly and injurious, that it is hardly worth while to note the discourtesy of adopting such a policy, and giving it a definite and irreversible shape in advance of the arrival of Mr. Adams, without allowing us the opportunity to offer a word of explanation or remonstrance. Mr. Adams reached Liverpool the 13th of May. The next day the proclamation was printed in London.

The United States by their neutrality broke the back of the Canadian rebellion, dashed the hopes cherished by the rebels of effective American sympathy, in good faith assisted the British government in maintaining its authority, and restoring order, and thus materially diminished the cost of treasure and of life at which alone their subjection could have been accomplished.

The British government by their neutrality have made our task far more difficult, apart from the injury we may anticipate from the fleet of privateers whose letters are so respectably countersigned. But we learn from this proclamation one lesson, that will be perhaps worth all that it shall cost us : we learn the treatment we may expect, if we fail to maintain our national integrity and the honour of our flag.

If a mere supposition that the rebels of Montgomery are likely to be successful, can in a moment dash from the memory of the English government all recollection of past friendship, and induce her in our moment of trial to condescend to a course so different from that we had pursued towards her ; what treatment may we not expect from her, and from every other European cabinet, if we ourselves by our conduct admit that we are powerless at home ? How will we be treated abroad, if we yield to the threats of a fraction of our own population ? What will be our standing among nations if, consenting to separation, we lose nearly half of

our territory, and two-thirds of our Atlantic seaboard, and descend to the position of a third rate power? Or what respect will be paid us, if to maintain our territory we compromise with rebellion; if we yield at the cannon's mouth, what the people have deliberately refused at the polls; if we teach the world by such an example that we may be bullied with success, and that when we resist on principle unreasonable demands, it is only necessary to humble our flag, and to threaten Washington, to induce us ignominiously to submit?

Let us discard all reliance upon other help than that of God, a right cause and a strong arm, and let us recognize the stubborn fact that "the government or nation that fails to protect itself against foes, whether foreign or domestic, deserves to perish ingloriously."*

Before leaving the question of England's neutrality, I think we should distinguish between the hasty action of the British cabinet and the deliberate conviction of the British people.

That the heart of that great nation is sound, and that as soon as they understand the motives and manner of this rebellion as you understand them, they will appreciate our position, approve our resolution and wish us God speed in our great work of restoring the federal union to its integrity and its great original principles of freedom, I cannot, I will not doubt.

Already their cabinet has partially atoned for the first proclamation by an order that will prevent the privateers of Davis from entering British ports, and both the government and the people must soon recognise the fact that we have the ability and the will to crush this rebellion and maintain our integrity, however long the struggle, however great the cost; and that we no more recognise the right of England nor of Europe to dictate to us in this matter, than England would have recognized our right to interfere between her and Nana Sahib. The material interests based on cotton must yield to the national and moral duties that to-day devolve upon the American people, in determining, perhaps for untold ages, the destiny of the American continent.

The English people will see that our resolve to crush the con-

* Guetano Filangieri.

spiracy for the establishment of a slave empire, is not based on any evanescent burst of enthusiasm, but on the most sober calculations of honor, duty, safety and economy ; and that it is the true interest of England, her pecuniary, her political and her moral interest, that the war should be as brief as possible, that the rebels may no longer be deluded into the belief that any true Englishman who understands the history and the object of their rebellion can regard it with other feelings, than those naturally aroused by a policy of fraud, treachery and oppression.

That the restoration of the integrity of our union is to be accomplished without a vast expenditure of treasure, and perhaps of blood, no one anticipates. We all know something of the cost of European wars, but we know also our own resources and the immense stake for which we will be fighting. Our fathers fought for seven years for our national freedom, and the spirit abroad throughout our land indicates that their sons, if necessary, will fight seven years more to save it from destruction and disgrace. Whether the debt incurred for its preservation shall be hundreds or thousands of millions, it will be a sacred legacy to future generations. A debt of five hundred millions, as remarked by an English journalist, would leave this nation less severely taxed than any nation of Europe.

If any man supposes that this republic can be advantageously sundered into two, let him cast his eye upon the map and endeavour to find a natural line to separate the two confederacies. The geographical formation of our country indicates that it is one : nature has provided no boundary line between the North and the South : no river like the Mississippi, no mountain chain like the Alleghanies, or the Rocky mountains, running from the West to the Atlantic, and forming an Alpine boundary to divide the sections. On the contrary, the father of waters stretches out his great arms to the East and to the West bearing on his bosom to the gulf, the generous products of the valleys which they fertilize, and carrying back in their place the cotton, rice and sugar of our Southern borders, and imports from foreign climes.

The Mississippi, source and channel of prosperity to North and South alike in every mile of its progress : on the West to Minne-

sota, Iowa, Missouri, Arkansas, and Louisiana ; on the East to Wisconsin, Illinois, Kentucky, Tennessee, and Mississippi, proclaims to the citizens of the immense region which it waters through thousands of miles in extent, from North to South, and East to West, that our country is one and indivisible.

Our duty to the South forbids our acquiescence in this rebellion, for it would reverse the American policy for the last half century, and recommit to foreign invasion, to anarchy and ruin, the immense territories which we have rescued from European sway, and united as parts of our great nation.

Look back to the olden time and see what the Southern country would again become. Trace the history of Florida from the days of Charles V., from the adventures of De Leon and De Soto, the persecution of protestants from France, and the retaliation on the murderous Spaniards ; the capture of St. Augustine by Sir Francis Drake, the buccaneering inroads of the English, the transfer of Florida to the British crown ; its partial settlement from Italy and Greece, the privateering exploits in our revolution, the capture of Baton Rouge and Pensacola, until its purchase by our government in 1819.

Remember that the Spaniards navigated the gulf of Mexico for two centuries, without discovering that it was the outlet of the great river of the North, a fact which perhaps induces the Southern confederates to imagine that we also may be persuaded to forget its existence. Look at Louisiana from the days of Law and the Mississippi bubble to its cession to Spain in 1762, and its retrocession to France in 1800, when we hastened to buy it from the First Consul, and you will find nothing in Florida, in Louisiana, nor indeed in Texas, to indicate even the first beginning of the prosperity which has been so rapidly developed under the fostering protection of the federal government.

Let the American union be dismembered, and what is to prevent foreign powers from re-entering upon our national domain from which at such great cost and labour they have been ousted ?

An old officer of the French empire writing to the *Courrier des Etats-Unis*, has predicted that in the first place France would retake Louisiana, according to ancient treaties, that Spain would reclaim Florida, that England perhaps would seek to appropriate

Oregon, and that Mexico, under foreign protection, would retake New Mexico, Texas and California ; or supposing that we should consent to the establishment of the so-called Southern confederacy, which we know to be a mere military despotism, what possible guarantee can we have for peace in the future, when each state reserves the right to secede at pleasure and enter at will into foreign alliances, inaugurating universal chaos and chronic dissolution ! Even now, while the struggle is being waged, the leading men of South Carolina, already sick of their independence before it is accomplished, repudiate republican institutions and sigh for a British prince to lend the odour of royalty to the aristocracy which they boast—an aristocracy based not upon historic deeds and noble heroism, but simply upon the colour of their skins, and their despotic dominion over helpless slaves :—an aristocracy whose wealth is invested in human flesh, and whose revenues are collected in the field by the lash, and on the auction block by the hammer !

Let our union be divided with the view of accomplishing present peace, and not only would the United States fall from her position of a first class power to that of a minor republic, with a contracted sea-board and a defenseless border, but the act of separation would inaugurate an exposure to hostilities,—first from our new and unfriendly neighbour, and then from every foreign power with which one or all of the Southern states might choose to form an alliance. Either contingency would necessarily change our national policy, require the maintenance of a standing army, and complicate endlessly our commercial relations. *Now*, we stand aloof from the quarrels of the rest of the world and can devote our energies to the development of our marvellous resources and the extension of civilization and freedom over the American continent ; *then* we should be compelled to an attitude of perpetual self-defence to save us from constant entanglement in the web of European politics. Already have we had a foretaste of the sort of treatment which Europe will accord to the severed fragments of the American republic.

To maintain the respect of the world we must maintain first the integrity of our national territory, and next the integrity of our fundamental principles. As for the argument that if the re-

bellion is crushed harmony can never be restored, Canada furnishes the refutation. The bloody feuds of 1838 have hardly left a trace to mar the tranquil prosperity which marks the progress of that great province. There is reason to believe that the union men of the South await but the coming of the federal forces in sufficient strength, to show themselves again the cordial supporters of the federal government. But even if this were not so, and there was reason to fear a long period of distrust and disaffection, the fact remains that the interests of the American people imperatively demand that the integrity of the union shall be preserved, whether the slavery propagandists of the South like it or like it not.

This is one of those decisive epochs that occur in the history of all great nations. One came to our fathers in 1776. Submission to usurped authority, or national independence, was the issue : and on the day we commemorate they chose the latter ; and the force of their example on the world is yet to be determined. To day the imperious demand comes from slavery, "submit or be destroyed !" Already has a blow been struck by slavery at our republic, the force of which reverberates through the world. Two hundred millions of debts due from rebels to loyal citizens are repudiated, the business of the country is arrested, bankruptcy stares us in the face ; worse than all, our flag has been insulted, our prestige impaired, and, from foreign courts, we have received treatment that our American pride can illy brook. Honour, interest, self-respect and the highest duty call upon us to crush, and crush speedily, the insolent traitors whose secret and atrocious perfidy has temporarily crippled us : and while we recall the motives that combine to compel us to resistance, let us not forget the duty which this nation owes to the oppressed race who are the innocent cause of all our troubles, and who have no friends to look to but ourselves, to prevent the spreading of slavery over every foot of American territory, and the waving of the flag of the slave trader over the fearful horrors of the middle passage.

Gentlemen, as in our revolutionary struggle our fathers had to contend with the timid and the avaricious, who feared the evils of war and continually cried peace ! peace ! where there was no

peace, so may we expect to be constantly hampered by declaimers in favor of compromise. I do not stop to consider the fitness of our lending an ear to such a cry until the insult to our flag has been atoned for and until our supremacy is acknowledged, for the great mass of the people of the country will be unanimous on this point; they will regard the bare suggestion of treating with the rebels whose hands are stained with the blood of the sons of Massachusetts, of Ellsworth and of Winthrop, of Greble and of Ward, as a personal insult, and will reply to it as did Patrick Henry—"We must fight! I repeat it, sir, we *must* fight!" The sword is now the only pen with which we can write "peace" in enduring characters on the map of America.

The day of compromise is gone: "that sort of thing," as the secretary said, "ended with the fourth of March." We have had devices enough for saving the union, devices suggested by the men who are now striving to destroy it.

There is one good old plan provided by the constitution that was successfully practiced by Washington and Jackson: we are about to try *that*: let us try it thoroughly; it is simply the due execution of the laws by whatever degree of force the exigency may require. If our army of 300,000 men is insufficient, a million stand ready to follow them to the field.

It would be difficult, my countrymen, to exaggerate the solemn importance of our national position. A struggle for life and death has commenced between freedom and slavery, and on the event of the struggle depends our national existence. Let us falter, let us compromise, let us yield, and the work of our fathers and the inheritance of our children, our own honor and the hopes of the oppressed nationalities of the world will be buried in a common grave! Let us be demoralized by defeat in the field, or what is infinitely worse, by submission to rebellion, and in foreign lands a man will blush and hang his head to declare himself an American citizen. A whipped hound should be the emblem of the Northern man who whimpers for a peace that can only be gained by dishonour.

But let us remember our fathers who, eighty-five years ago, this day, made universal freedom and equal right the corner stone of this republic; let us exhibit, as we have begun to do, their stern

resolve and high devotion in behalf of constitutional freedom, and we shall secure for our children and our children's children a gigantic and glorious nationality, based upon principles of Christian civilization, such as the world has never seen before.

There is nothing impossible, nothing improbable in our speedy realization of a glorious future.

The seeds of this rebellion have long lurked in our system : for years it has been coming to a head, and simply from want of proper treatment, it has now burst with angry violence : but the pulse of the nation beats coolly and calmly, the partial local inflammation but serves to exhibit the lusty health of the body politic, and when this rebellion is extinguished, and its cause removed, we may hope that we are safe from an organized rebellion for at least a century to come.

With what speed this rebellion shall be crushed, depends solely upon yourselves. Let public feeling lag throughout the land, and the war department will lag in Washington. Let us become careless and indifferent about the matter, and contractors will cheat our soldiers, incompetent officers will expose them to defeat, official indifference will produce general demoralization.

But let us keep ever in mind the lesson we have so dearly learned—that eternal vigilance is the price of liberty. Let the administration and the army feel that their every act is canvassed by an intelligent people, and when approved, greeted by a hearty appreciation : that every branch of industry awaits the ending of the war, and that from every part of the land comes the cry of “forward,” and the arm of the union at Washington will obey the heart of the nation, whenever a prayer rises in its behalf, or its flag kisses the breeze of heaven.

Let us with this sleepless vigilance on our part, repose a generous confidence in our president who has won the generous applause of his democratic opponents, nor scan too impatiently the warlike policy of Scott.

Like all true-hearted and brave veterans he wishes to spare as far as possible the blood alike of loyal soldiers and deluded rebels, and to carry with the flag of our union not simply the power to make it respected but the more glorious attributes that cause it to be loved. “Not,” to adopt the words of Gov. Andrew, of

Massachussetts, "to inaugurate a war of sections, not to avenge former wrongs, not to perpetuate ancient griefs or memories of conflict," will that flag move onwards until it floats again in its pride and beauty over Richmond, and Sumpter, and Montgomery, and New Orleans : but to indicate the majesty of the people, to retain and re-invigorate the institutions of our fathers, to rescue from the despotism of traitors the loyal citizens of the South, and place all, loyal or rebel, under the protection of a union that is essential to the welfare of the whole.

The eyes of the whole world are this day fixed upon you. To Europeans themselves, European questions sink to insignificance compared with the American question now to be decided. Rise, my countrymen, as did our fathers on the day we celebrate, to the majestic grandeur of this question in its two-fold aspect, as regards America, and as regards the world. Remember that with the failure of the American republic will fall the wisest system of republican government which the wisdom of man has yet invented, and the hopes of popular freedom cherished throughout the globe.

Let us, standing by our fathers' graves, swear anew and teach the oath to our children, that with God's help the American republic, clasping this continent in its embrace, shall stand unmoved, though all the powers of slavery, piracy, and European jealousy should combine to overthrow it ; that we shall have in the future, as we have had in the past, one country, one constitution, and one destiny ; and that when we shall have passed from earth and the acts of to-day shall be matter of history, and the dark power now seeking our overthrow shall have been itself overthrown, our sons may gather strength from our example in every contest with despotism that time may have in store to try their virtue, and that they may rally under the stars and stripes to battle for freedom and the rights of man, with our olden war cry. "Liberty and union, now and forever, one and inseparable."

THE GREAT ISSUES NOW BEFORE THE COUNTRY.

AN ORATION

BY

EDWARD EVERETT.

DELIVERED AT THE NEW YORK ACADEMY OF MUSIC.

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THE GREAT ISSUES

NOW BEFORE THE COUNTRY.*



WHEN the Congress of the United States, on the 4th of July, 1776, issued the ever memorable Declaration, they deemed that a decent respect for the opinions of mankind, required a formal statement of the causes which impelled them to the all-important measure. The eighty-fifth anniversary of the great Declaration finds the loyal people of the Union engaged in a tremendous conflict, to maintain and defend the grand nationality which was asserted by our fathers, and to prevent their fair creation from crumbling into dishonorable chaos. A great people gallantly struggling to keep a noble frame-work of government from falling into wretched fragments, needs no justification at the tribunal of the public opinion of mankind. But while our patriotic fellow-citizens, who have rallied to the defence of the Union, marshalled by the ablest of living chieftains, are risking their lives in the field; while the precious blood of your youthful heroes and ours is poured out together in defence of this precious legacy of constitutional freedom, you will not think it a misappropriation of the hour, if I employ it in showing the justice of the cause in which we are engaged, and the fallacy of the arguments employed by the South in vindication of the war, alike murderous and suicidal, which she is waging against the Constitution and the Union.

A twelvemonth ago, nay, six or seven months ago, our country was regarded and spoken of by the rest of the civilized world, as among the most prosperous in the family of nations. It was classed with England, France, and Russia, as one of the four leading powers of the age.† Remote as we were from the complications of foreign politics, the extent of our commerce

* Large portions of this oration were, on account of its length, necessarily omitted in the delivery.

† The *Edinburgh Review*, April, 1861, p. 555.

and the efficiency of our navy won for us the respectful consideration of Europe. The United States were particularly referred to on all occasions, and in all countries, as an illustration of the mighty influence of free governments in promoting the prosperity of states. In England, notwithstanding some diplomatic collisions on boundary questions, and occasional hostile reminiscences of the past, there has hardly been a debate for thirty years, in parliament, on any topic, in reference to which this country in the nature of things afforded matters of comparison, in which it was not referred to as furnishing instructive examples of prosperous enterprise and hopeful progress. At home the country grew as by enchantment. Its vast territorial extent, augmented by magnificent accessions of conterminous territory peaceably made; its population far more rapidly increasing than that of any other country, and swelled by an emigration from Europe such as the world has never before seen; the mutually beneficial intercourse between its different sections and climates, each supplying what the other wants; the rapidity with which the arts of civilization have been extended over a before unsettled wilderness, and, together with this material prosperity, the advance of the country in education, literature, science, and refinement, formed a spectacle of which the history of mankind furnished no other example. That such was the state of the country six months ago was matter of general recognition, and acknowledgment at home and abroad.

There was, however, one sad deduction to be made, not from the truth of this description, not from the fidelity of this picture, for that is incontestable, but from the content, happiness, and mutual good-will which ought to have existed on the part of a people favored by such an accumulation of providential blessings. I allude, of course, to the great sectional controversies which have so long agitated the country and arrayed the people in bitter geographical antagonism of political organization and action. Fierce party contentions had always existed in the United States, as they ever have and unquestionably ever will exist under all free elective governments; and these contentions had, from the first, tended somewhat to a sectional character. They had not, however, till quite lately, assumed that character so exclusively, that the minority in any one part of the country had not had a respectable electoral representation in every other. Till last November, there has never been a Southern presidential candidate who did not receive electoral votes at the North, nor a Northern candidate who did not receive electoral votes at the South.

At the late election and for the first time, this was not the case; and consequences the most extraordinary and deplorable have resulted. The country, as we have seen, being in profound peace at home and abroad, and in a state of unexampled prosperity—agriculture, commerce, naviga-

tion, manufactures, east, west, north, and south, recovered or rapidly recovering from the crisis of 1857—powerful and respected abroad, and thriving beyond example at home, entered, in the usual manner, upon the electioneering campaign, for the choice of a nineteenth President of the United States. I say, in the usual manner, though it is true that parties were more than usually broken up and subdivided. The normal division was into two great parties, but there had on several former occasions been three; in 1824 there were four, and there were four last November. The South equally with the West and the North entered into the canvass; conventions were held, nominations made, mass meetings assembled; the platform, the press enlisted with unwonted vigor; the election in all its stages, conducted in legal and constitutional form, without violence and without surprise, and the result obtained by a decided majority.

No sooner, however, was this result ascertained, than it appeared on the part of one of the Southern states, and her example was rapidly followed by others, that it had by no means been the intention of those states to abide by the result of the election, except on the one condition of the choice of their candidate. The reference of the great sectional controversy to the peaceful arbitrament of the ballot-box, the great safety-valve of republican institutions, though made with every appearance of good faith on the part of our brethren at the South, meant but this: If we succeed in this election, as we have in fifteen that have preceded it, well and good; we will consent to govern the country for four years more, as we have already governed it for sixty years; but we have no intention of acquiescing in any other result. We do not mean to abide by the election, although we participate in it, unless our candidate is chosen. If he fails we intend to prostrate the government and break up the Union—peaceably, if the states composing the majority are willing that it should be broken up peaceably—otherwise, at the point of the sword.

The election took place on the 6th of November, and in pursuance of the extraordinary programme just described, the state of South Carolina, acting by a convention chosen for the purpose, assembled on the 17th of December, and on the 20th, passed unanimously what was styled “An ordinance to dissolve the Union between the state of South Carolina and other states united with her, under the compact entitled the Constitution of the United States of America.” It is not my purpose on this occasion to make a documentary speech, but as this so called “ordinance” is very short, and affords matter for deep reflection, I beg leave to recite it in full:

“We, the people of the state of South Carolina, in convention assembled, do declare and ordain, and it is hereby declared and ordained, that the ordinance adopted by us in convention on the 23d day of May, in the

year of our Lord 1788, whereby the constitution of the United States was ratified, and also all acts and parts of acts of the General Assembly of this state, ratifying the amendments of the said constitution, are hereby repealed, and that the Union now subsisting between South Carolina and other states, under the name of the United States of America, is dissolved."

This remarkable document is called an "ordinance;" and no doubt some special virtue is supposed to reside in the name. But names are nothing except as they truly represent things. An ordinance, if it is any thing clothed with binding force, is a law, and nothing but a law, and as such this ordinance being in direct violation of the constitution of the United States is a mere nullity. The constitution contains the following express provision: "This constitution and the laws of the United States made in pursuance thereof, and the treaties made, or which may be made, under the authority of the United States, shall be the supreme law of the land, and the judges in every state shall be bound thereby, any thing in the constitution or laws of any state to the contrary notwithstanding." Such being the express provision of the constitution of the United States, which the people of South Carolina adopted in 1788, just as much as they ever adopted either of their state constitutions, is it not trifling with serious things to claim that, by the simple expedient of passing a law under the name of an ordinance, this provision, and every other provision of it may be nullified, and every magistrate and officer in Carolina, whether of the state or Union, absolved from the oath which they have taken to support it?

But this is not all. The secession ordinance purports "to repeal the ordinance of the 23d May, 1788, by which the constitution of the United States was ratified by the people of South Carolina. It was intended of course by calling the act of ratification an ordinance, to infer a right of repealing it by another ordinance. It is important therefore to observe that the act of ratification is not, and is not called, an ordinance, and contains nothing which by possibility can be repealed. It is in the following terms:

"The convention [of the people of South Carolina] having maturely considered the constitution, or form of government, reported to Congress by the convention of delegates from the United States of America, and submitted to them by a resolution of legislature of this state, passed the 17th and 18th days of February last, in order to form a more perfect Union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to the people of the said United States and their posterity, do, in the name and in the behalf of the people of this state hereby assent to ratify the same."

Here it is evident that there is nothing in the instrument which in the nature of things, can be repealed; it is an authorized solemn assertion of the people of South Carolina, that they assent to and ratify a form of government, which is declared in terms to be paramount to all state laws and constitutions. This is a great historical fact, the most important that can ever occur in the history of a people. The fact that the people of South Carolina, on the 23d of May, 1788, assented to and ratified the constitution of the United States, in order, among other objects, to secure the blessings of liberty for themselves and "their posterity," can no more be repealed in 1861 than any other historical fact that occurred in Charleston in that year and on that day. It would be just as rational, at the present day, to attempt by ordinance to repeal any other event—as that the sun rose or that the tide ebbed and flowed on that day—as to repeal by ordinance the assent of Carolina to the constitution.

Again; it is well known that the various amendments to the constitution, were desired and proposed in different states. The first of the amendments proposed by South Carolina, was as follows:—

"Whereas it is essential to the preservation of the rights reserved to the several states, and the freedom of the people under the operation of the general government, that the right of prescribing the manner, times and places of holding the elections of the federal legislature should be *forever inseparably* annexed to the sovereignty of the states; this convention doth declare that the same ought to remain to *all posterity* a perpetual and fundamental right in the *local*, exclusive of the interference of the *general* government, except in cases where the legislature of the states shall refuse or neglect to perform or fulfil the same, according to the tenor of the said constitution."

Here you perceive that South Carolina herself in 1788 desired a provision to be made and annexed inseparably to her sovereignty, that she should forever have the power of prescribing the time, place, and manner of holding the elections of members of Congress;—but even in making this express reservation, to operate for all posterity, she was willing to provide that, if the state legislatures refuse or neglect to perform the duty, (which is precisely the case of the seceding states at the present day), then the general government was, by this South Carolina amendment, expressly authorized to do it. South Carolina in 1788, by a sort of prophetic foresight, looked forward to the possibility, that the states might "refuse or neglect" to co-operate in carrying on the government, and admitted, in that case, that the general government must go on in spite of their delinquency.

I have dwelt on these points at some length, to show how futile is the attempt, by giving the name of "ordinance" to the act by which South Carolina adopted the constitution and entered the Union, to gain a power to leave it by subsequent ordinance of repeal.

Whether the present unnatural civil war is waged by the South, in virtue of a supposed constitutional right to leave the Union at pleasure, or whether it is an exercise of the great and ultimate right of revolution, the existence of which no one denies, seems to be left in uncertainty by the leaders of the movement. Mr. Jefferson Davis, the President of the new Confederacy, in his inaugural speech delivered on the 18th of February, declares that it is "an abuse of language" to call it "a revolution." Mr. Vice-President Stephens, on the contrary, in a speech at Savannah, on the 21st of March, pronounces it "one of the greatest revolutions in the annals of the world." The question is of great magnitude, as one of constitutional and public law; as one of morality it is of very little consequence whether the country is drenched in blood, in the exercise of a right claimed under the constitution, or the right inherent in every community to revolt against an oppressive government. Unless the oppression is so extreme as to justify revolution, it would not justify the evil of breaking up a government, under an abstract constitutional right to do so.

This assumed right of secession rests upon the doctrine that the Union is a compact between independent states, from which any one of them may withdraw at pleasure in virtue of its sovereignty. This imaginary right has been the subject of discussion for more than thirty years, having been originally suggested, though not at first much dwelt upon, in connection with the kindred claim of a right, on the part of an individual state, to "nullify" an act of Congress. It would, of course, be impossible, within the limits of the hour, to review these elaborate discussions. I will only remark, on this occasion, that none of the premises from which this remarkable conclusion is drawn, are recognized in the constitution, and that the right of secession, though called a "reserved" right, is not *expressly* reserved in it. That instrument does not purport to be a "compact," but a constitution of government. It appears in its first sentence not to have been entered into by the states, but to have been ordained and established by the people of the United States, for "themselves and their posterity." The states are not named in it; nearly all the characteristic powers of sovereignty are expressly granted to the general government, and expressly prohibited to the states, and so far from reserving a right of secession to the latter, on any ground or under any pretence, it ordains and establishes in terms, the constitution of the United States as

the supreme law of the land, any thing in the constitution or laws of any state to the contrary notwithstanding.

It would seem that this was as clear and positive as language can make it. But it is argued that, though the right of secession is not reserved in terms, it must be considered as implied in the general reservation to the states and to the people, of all the powers not granted to Congress nor prohibited to the states. This extraordinary assumption, more distinctly stated is, that, in direct defiance of the express grant to Congress and the express prohibition to the states of nearly all the powers of an independent government, there is, *by implication*, a right reserved to the states to assume and exercise all these powers thus vested in the Union and prohibited to themselves, simply in virtue of going through the ceremony of passing a law called an ordinance of secession. A general reservation to the states of powers not prohibited to them nor granted to Congress, is an implied reservation to the states of a right to exercise these very powers thus expressly delegated to Congress and thus expressly prohibited to the states!

The constitution declares, that the Congress of the United States shall have power to declare war, grant letters of marque and reprisal, to raise and support armies, to provide and maintain a navy; and it provides that the President of the United States, by and with the advice and consent of the Senate, shall make treaties with foreign powers.

These express grants of power to the government of the United States are followed by prohibitions as express to the several states:

"No state shall enter into any treaty, alliance, or confederation, grant letters of marque or reprisal; no state shall, without the consent of Congress, lay any duty of tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another state, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay."

These and numerous other express grants of power to the general government, and express prohibitions to the states, are further enforced by the comprehensive provision, already recited, that the constitution and laws of the United States are paramount to the laws and constitution of the separate states.

And this constitution, with these express grants and express prohibitions, and with this express subordination of the states to the general government, has been adopted by the people of all the states; and all their judges and other officers, and all their citizens holding office under the government of the United States, or the individual states, are solemnly sworn to support it.

In the face of all this, in defiance of all this, in violation of all this, in contempt of all this, the seceding states claim the right to exercise every power expressly delegated to Congress, and expressly prohibited to the states by that constitution which every one of their prominent men, civil and military, is under oath to support. They have entered into a confederation, raised an army, attempted to provide a navy, issued letters of marque and reprisal, waged war, and that war—merciful heaven forgive them!—not with a foreign enemy, not with the wild tribes which still desolate the unprotected frontier; (they, it is said, are swelling, armed with tomahawk and scalping-knife, the Confederate forces)—but with their own countrymen, and the mildest and most beneficent government on the face of the earth!

But we are told all this is done in virtue of the sovereignty of the states; as if, because a state is sovereign, its people were incompetent to establish a government for themselves and their posterity. Certainly the states are clothed with sovereignty for local purposes; but it is doubtful whether they ever possessed it in any other sense; and if they had, it is certain that they ceded it to the general government in adopting the constitution. Before their independence of England was asserted they constituted a provincial people (Burke calls it "a glorious empire"), subject to the British crown, organized for certain purposes under separate colonial charters, but on some great occasion of political interest and public safety, acting as one. Thus they acted when, on the approach of the great Seven Years' War, which exerted such an important influence on the fate of British America, they sent their delegates to Albany to concert a plan of union. In the discussions of that plan which was reported by Franklin, the citizens of the colonies were evidently considered as a people. When the passage of the Stamp Act in 1765 roused the spirit of resistance throughout America, the unity of her people assumed a still more practical form. "Union, says one of our great American historians (Bancroft, V. 292) was the hope of Otis. Union that 'should knit and work into the very blood and bones of the original system every region as fast as settled.'" In this hope he argued against writs of assistance, and in this hope he brought about the call of the convention at New York in 1765. At that convention, the noble South Carolinian, Christopher Gadsden, with almost prophetic foresight of the disintegrating heresies of the present day, cautioned his associates against too great dependence on their colonial charters. "I wish," said he, "that the charters may not ensnare us at last, by drawing different colonies to act differently in this great cause. Whenever that is the case all is over with the whole. There ought to be no New England man, no New Yorker known on the continent, but all of us Americans." (Bancroft, V. 335).

While the patriots in America counselled, and wrote, and spoke as a people, they were recognized as such in England. "Believe me," cried Colonel Barré, in the House of Commons, "I this day told you so, the same spirit of freedom which actuated that people at first will accompany them still. The people, I believe, are as truly loyal as any subjects the king has, but a people jealous of their liberties, and who will vindicate them should they be violated."

When, ten years later, the great struggle long foreboded came on, it was felt, on both sides of the Atlantic, to be an attempt to reduce a free people beyond the sea to unconditional dependence on a Parliament in which they were not represented. "What foundation have we," was the language of Chatham, on the 27th January, 1775, "for our claims over America? What is our right to persist in such cruel and vindictive measures against that loyal, respectable people? How have this respectable people behaved under all their grievances? Repeal, therefore, I say. But bare repeal will not satisfy this enlightened and spirited people." Lord Camden, in the same debate, exclaimed, "You have no right to tax America; the natural rights of man and the immutable laws of nature are with that people." Burke, two months later, made his great speech for conciliation with America. "I do not know," he exclaimed, "the method of drawing up an indictment against a whole people." In a letter written two years after the commencement of the war, he traces the growth of the colonies from their feeble beginnings to the magnitude which they had attained when the revolution broke out, and in which his glowing imagination saw future grandeur and power beyond the reality. "At the first designation of these colonial assemblies," says he, "they were probably not intended for any thing more (nor perhaps did they think themselves much higher) than the municipal corporations within this island, to which some at present love to compare them. But nothing in progression can rest on its original plan; we may as well think of rocking a grown man in the cradle of an infant. Therefore, as the colonies prospered and increased to a numerous and mighty people, spreading over a very great tract of the globe, it was natural that they should attribute to assemblies so respectable in the formed constitution, some part of the dignity of the great nations which they represented."

The meeting of the first Continental Congress of 1774 was the spontaneous impulse of the people. All their resolves and addresses proceed on the assumption that they represented a people. Their first appeal to the royal authority was their letter to General Gage, remonstrating against the fortifications of Boston. "We entreat your excellency to consider," they say, "what a tendency this conduct must have to irritate and force a

free people, hitherto well disposed to peaceable measures, into hostilities." Their final act, at the close of the session, their address to the king, one of the most eloquent and pathetic of state papers, appeals to him "in the name of all your majesty's faithful people in America."

But this all-important principle in our political system is placed beyond doubt by an authority which makes all further argument or illustration superfluous. That the citizens of the British colonies, however divided for local purposes into different governments, when they ceased to be subject to the English crown, became *ipso facto* one people for all the high concerns of national existence, is a fact embodied in the Declaration of Independence itself. That august manifesto—the Magna Charta which introduced us into the family of nations—was issued to the world—so its first sentence sets forth—because "a decent respect for the opinions of mankind requires" such solemn announcement of motives and causes to be made, "when in the course of human events it becomes necessary for one people to dissolve the political bonds which have connected them with another." Mr. Jefferson Davis, in his message of the 29th of April, deems it important to remark that, by the treaty of peace with Great Britain, "the several states were each by name recognized to be independent." It would be more accurate to say that the United States each by name were so recognized. Such enumeration was necessary, in order to fix beyond doubt, which of the Anglo-American colonies, twenty-five or six in number, were included in the recognition.* But it is surely a far more significant circumstance, that the separate states are not named in the Declaration of Independence; that they are called only by the collective designation of the United States of America; that the manifesto is issued "in the name and by the authority of the good people" of the colonies, and that they are characterized in the first sentence as "one people."

Let it not be thought that these are the latitudinarian doctrines of modern times, or of a section of the country predisposed to a loose construction of laws and constitutions. Listen, I pray you, to the noble words of a revolutionary patriot and statesman:

"The separate independence and individual sovereignty of the several states were never thought of by the enlightened band of patriots who framed the Declaration of Independence. The several states are not even mentioned by name in any part of it, and it was intended to impress this maxim on America, that our freedom and independence arose from our

* Burke's account of "the English Settlements in America" begins with Jamaica and proceeds through the West India Islands. There were also English settlements on the continent, Canada and Nova Scotia, which it was necessary to *exclude* from the treaty, by an enumeration of the *included* colonies.

Union, and that without it we could neither be free nor independent. Let us then consider all attempts to weaken this Union, by maintaining that each state is separately and individually independent, as a species of political heresy, which can never benefit us, and may bring on us the most serious distresses." (Elliott's Debates, IV., p. 301.) These are the solemn and prophetic words of Charles Cotesworth Pinckney, the patriot, the soldier, the statesman; the trusted friend of Washington, repeatedly called by him to the highest offices of the government; the one name that stands highest and brightest on the list of the great men of South Carolina.*

Not only was the Declaration of Independence made in the name of the one people of the United States, but the war by which it was sustained was carried on by their authority. A very grave historical error, in this respect, is often committed by the politicians of the secession school. Mr. Davis, in his message of the 29th of April, having called the old confederation a "close alliance," says: "Under this contract of alliance the war of the revolution was successfully waged, and resulted in the treaty of peace with Great Britain of 1783, by the terms of which the several states were each by name recognized to be independent." I have already given the reason for this enumeration, but the main fact alleged in the passage is entirely without foundation. The articles of confederation were first signed by the delegates from eight of the states, on the 9th of July, 1778, more than three years after the commencement of the war, long after the capitulation of Burgoyne, the alliance with France, and the reception of a French minister. The ratification of the other states was given at intervals the following years, the last not till 1781, seven months only before the virtual close of the war by the surrender of Cornwallis. Then, and not till then, was "the contract of alliance" consummated. Most true it is, as Mr. Davis bids us remark, that by these articles of confederation the states retained "each its sovereignty, freedom and independence." It is not less true that their selfish struggle to exercise and enforce their assumed rights as separate sovereignties was the source of the greatest difficulties and dangers of the revolution and risked its success; not less true, that most of the great powers of a sovereign state were nominally conferred even by these articles on the Congress, and that that body was regarded and spoken of by Washington himself as "THE SOVEREIGN OF THE UNION. (Works, IX. 12, 23, 29.)

But feeble as the old Confederation was, and distinctly as it recognized the sovereignty of the states, it recognized in them no right to withdraw

* See an admirable sketch of his character in Trescott's *Diplomatic History of the Administrations of Washington and Adams* pp. 169-71.

at their pleasure from the Union. On the contrary, it was specially provided that "the Articles of Confederation should be inviolably preserved by every state," and that "the Union should be perpetual." It is true that in a few years, from the inherent weakness of the central power, and from the want of means to enforce its authority on the individual citizen, it fell to pieces. It sickened and died from the poison of what General Pinckney aptly called "the heresy of state sovereignty," and in its place a constitution was ordained and established "in order to form a more perfect Union;" a Union more binding on its members than this "contract of alliance," which yet was to be "inviolably observed by every state;" more durable than the old Union, which yet was declared to be "perpetual." This great and beneficent change was a revolution—happily a peaceful revolution, the most important change probably ever brought about in a government without bloodshed. The new government was unanimously adopted by all the members of the old confederation, by some more promptly than by others, but by all within the space of four years.

Much has been said against coercion—that is, the employment of force to compel obedience to the laws of the United States when they are resisted under the assumed authority of a state; but even the old Confederation, with all its weakness, in the opinion of the most eminent contemporary statesmen, possessed this power. Great stress is laid by politicians of the secession school on the fact, that in a project for amending the Articles of Confederation brought forward by judge Paterson in the federal convention, it was proposed to clothe the government with this power, and the proposal was not adopted. This is a very inaccurate statement of the facts of the case. The proposal formed part of a project which was rejected *in toto*. The reason why this power of state coercion was not granted *co nomine*, in the new constitution, is that it was wholly superfluous and inconsistent with the fundamental principle of the government. Within the sphere of its delegated powers the general government deals with the individual citizen. If its power is resisted the person or persons resisting it do so at their peril and are amenable to the law. They can derive no immunity from state legislatures or state conventions, because the constitution and laws of the United States are the supreme law of the land. If the resistance assumes an organized form, on the part of numbers too great to be restrained by the ordinary powers of the law, it is then an insurrection, which the general government is expressly authorized to suppress. Did any one imagine in 1793, when General Washington called out 15,000 men to suppress the insurrection in the western counties of Pennsylvania, that if the insurgents had happened to have the control of a majority of the legislature, and thus clothe their rebellion with a pretend-

ed form of law, that he would have been obliged to disband his troops, and return himself baffled and discomfited to Mount Vernon? If John Brown's raid at Harper's Ferry, instead of being the project of one misguided individual and a dozen and a half deluded followers, had been the organized movement of the states of Ohio and Pennsylvania, do the seceders hold that the United States would have had no right to protect Virginia, or punish the individuals concerned in her invasion? Do the seceding states really mean after all, to deny that if a state law is passed to prevent the rendition of a fugitive slave, the general government has no right to employ force to effect his surrender?

But, as I have said, even the old confederation with all its weakness was held by the ablest contemporary statesman, and that of the state rights school, to possess the power of enforcing its requisitions against a delinquent state. Mr. Jefferson, in a letter to Mr. Adams of the 11th of July, 1786, on the subject of providing a naval force of 150 guns to chastise the Barbary powers, urges as an additional reason for such a step, that it would arm "the federal head with the safest of all the instruments of coercion over its delinquent members, and prevent it from using what would be less safe," viz., a land force. Writing on the same subject to Mr. Monroe a month later (11th of August, 1786), he answers the objection of expense thus: "It will be said, 'There is no money in the Treasury.' There never will be money in the treasury, till the Confederacy shows its teeth. The states must see the rod, perhaps it must be felt by some of them. Every rational citizen must wish to see an effective instrument of coercion, and should fear to see it on any other element than the water. A naval force can never endanger our liberties, nor occasion bloodshed; a land force would do both." In the following year, and when the confederation was at its last gasp, Mr. Jefferson was still of the opinion that it possessed the power of coercing the states, and that it was expedient to exercise it. In a letter to Colonel Carrington, of the 4th of April, 1787, he says:

"It has been so often said as to be generally believed, that Congress have no power by the confederation to enforce any thing—for instance, contributions of money. It was not necessary to give them that power expressly—they have it by the law of nature. When two parties make a compact, there results to each the power of compelling the other to execute it. Compulsion was never so easy as in our case, when a single frigate would soon levy on the commerce of a single state the deficiency of its contributions."

Such was Mr. Jefferson's opinion of the powers of Congress under the "old contract of alliance." Will any reasonable man maintain that

under a constitution of government there is less power to enforce the laws?

But the cause of secession gains nothing by magnifying the doctrine of the sovereignty of the states, or calling the constitution a compact between them. Calling it a compact does not change a word of its text, and no theory of what is implied in the word "sovereignty" is of any weight in opposition to the actual provisions of the instrument itself; sovereignty is a word of very various signification. It is one thing in China, another in Turkey, another in Russia, another in France, another in England, another in Switzerland, another in San Marino, another in the individual American states, and it is something different from all in the United States. To maintain that, because the state of Virginia, for instance, was in some sense or other a sovereign state, when her people adopted the federal constitution (which in terms was ordained and established not only for the people of that day but for their posterity), she may therefore at pleasure secede from the Union existing under that constitution, is simply to beg the question. That question is not, what was the theory or form of government existing in Virginia, before the constitution, but what are the provisions of the constitution which her people adopted and made their own? Does the constitution of the United States permit or forbid the states to enter into any other confederation? Is it a mere loose partnership, which any of the parties can break up at pleasure; or is it a constitution of government, delegating to Congress and prohibiting to the states most of the primal functions of a sovereign power;—peace, war, commerce, finance, navy, army, mail, mint, executive, legislative, and judicial functions? The states are not named in it; the word sovereignty does not occur in it; the right of secession is as much ignored in it as the precession of the Equinoxes, and all the great prerogatives which characterize an independent member of the family of nations are by distinct grant conferred on Congress by the people of the United States, and prohibited to the individual states of the Union. Is it not the height of absurdity to maintain that all these express grants and distinct prohibitions, and constitutional arrangements, may be set at naught by an individual state, under the pretence, that she was a sovereign state before she assented to or ratified them; in other words, that an act is of no binding force, because it was performed by an authorized and competent agent?

In fact, to deduce from the sovereignty of the states the right of seceding from the Union is the most stupendous *non sequitur* that was ever advanced in grave affairs. The only legitimate inference to be drawn from that sovereignty is precisely the reverse. If any one right can be

predicated of a sovereign state, it is that of forming or adopting a frame of government. She may do it alone or she may do it as a member of a union. She may enter into a loose pact for ten years, or till a partisan majority of a convention, goaded on by ambitious aspirants to office, shall vote in secret session to dissolve it; or she may, after grave deliberation and mature counsel, led by the wisest and most virtuous to the land, ratify and adopt a constitution of government, ordained and established not only for that generation, but their posterity, subject only to the inalienable right of revolution possessed by every political community.

What would be thought in private affairs of a man who should seriously claim the right to revoke a grant, in consequence of having an unqualified right to make it? A right to break a contract, because he had a right to enter into it? To what extent is it more rational on the part of a state to found the right to dissolve the Union on the competence of the parties to form it; the right to prostrate a government on the fact that it was constitutionally framed?

But let us look at parallel cases, and they are by no means wanting. In the year 1800 a union was formed between England and Ireland. Ireland, before she entered into the union, was subject indeed to the English crown, but she had her own parliament, consisting of her own lords and commons, and enacting her own laws. In 1800 she entered into a constitutional union with England on the basis of articles of agreement, jointly accepted by the two parliaments (*Annual Register*, XLII. p. 190). The union was opposed at the time by a powerful minority in Ireland, and Mr. O'Connell succeeded thirty years later, by ardent appeals to the sensibilities of the people, in producing an almost unanimous desire for its dissolution. He professed, however, although he had wrought his countrymen to the verge of rebellion, to aim at nothing but a constitutional repeal of the articles of union by the parliament of Great Britain. It never occurred even to his fervid imagination, that, because Ireland was an independent government when she entered into the union, it was competent for her at her discretion to secede from it. What would our English friends who have learned from our secessionists the "inherent right" of a disaffected state to secede from our Union, have thought, had Mr. O'Connell, in the paroxysms of his agitation, claimed the right on the part of Ireland, by her own act, to sever her union with England?

Again in 1706, Scotland and England formed a constitutional union. They also, though subject to the same monarch, were in other respects sovereign and independent kingdoms. They had each its separate parliament, courts of justice, laws, and established national church. Articles of Union were established between them; but all the laws and statutes of

either kingdom not contrary to these articles remained in force. (See the articles in Rapin IV. 741-6.) A powerful minority in Scotland disapproved of the union at the time. Nine years afterward an insurrection broke out in Scotland under a prince, who claimed to be the lawful, as he certainly was the lineal, heir to the throne. The rebellion was crushed, but the disaffection in which it had its origin was not wholly appeased. In thirty years more a second Scottish insurrection took place, and as before under the lead of the lineal heir to the crown. On neither occasion that I ever heard of, did it enter into the imagination of rebel or loyalist, that Scotland was acting under a reserved right as a sovereign kingdom, to secede from the Union, or that the movement was any thing less than an insurrection; revolution if it succeeded, treason and rebellion if it failed. Neither do I recollect that, in less than a month after either insurrection broke out, any one of the friendly and neutral powers, made haste, in anticipation even of the arrival of the ministers of the reigning sovereign, to announce that the rebels "would be recognized as belligerents."

In fact it is so plain, in the nature of things, that there can be no constitutional right to break up a government unless it is expressly provided for, that the politicians of the secession school are driven back, at every turn, to a *reserved* right. I have already shown that there is no such *express* reservation, and I have dwelt on the absurdity of getting by *implication* a reserved right to violate every *express* provision of a constitution. In this strait, Virginia, proverbially skilled in logical subtleties, has attempted to find an express reservation, not of course in the constitution itself, where it does not exist, but in her original act of adhesion, or rather in the declaration of the "impressions" under which that act was adopted. The ratification itself, of Virginia, was positive and unconditional. "We, the said delegates, in the name and behalf of the people of Virginia, do, by these presents, assent to and ratify the constitution recommended on the 17th day of September, 1787, by the federal convention, for the government of the United States, hereby announcing to all those whom it may concern, that the said constitution is binding upon the said people, according to an authentic copy hereunto annexed. Done in convention this 26th day of June, 1788."

This, as you perceive, is an absolute and unconditional ratification of the constitution by the people of Virginia. An attempt, however, is made, by the late convention in Virginia, in their ordinance of secession, to extract a reservation of a right to secede out of a declaration contained in the preamble to the act of ratification. That preamble declares it to be an "impression" of the people of Virginia, that the powers granted under the constitution, being derived from the people of the United States, may

be resumed by them, whenever the same shall be perverted to their injury or oppression. The ordinance of secession passed by the recent convention, purporting to cite this declaration, omits the words "by them," that is, by the people of the United States, not by the people of any single state, thus arrogating to the people of Virginia alone what the convention of 1788 claimed only, and that by way of "impression," for the people of the United States.

By this most grave omission of the vital words of the sentence, the convention, I fear, intended to lead the incautious or the ignorant to the conclusion, that the convention of 1788 asserted the right of an individual state to resume the powers granted in the constitution to the general government; a claim for which there is not the slightest foundation in constitutional history. On the contrary, when the ill-omened doctrine of state nullification was sought to be sustained by the same argument in 1830, and the famous Virginia resolutions of 1798 were appealed to by Mr. Calhoun and his friends, as affording countenance to that doctrine, it was repeatedly and emphatically declared by Mr. Madison, the author of the resolutions, that they were intended to claim, not for an individual state, but for the United States, by whom the constitution was ordained and established, the right of remedying its abuses by constitutional ways, such as united protest, repeal, or an amendment of the constitution. (Maguire's Collection, p. 213.) Incidentally to the discussion of nullification he denied over and over again the right of peaceable secession; and this fact was well known to some of the members of the late convention at Richmond. When the secrets of their assembly are laid open, no doubt it will appear that there were some faithful Abdiels to proclaim the fact. Oh, that the venerable sage, second to none of his patriot compeers in framing the constitution, the equal associate of Hamilton in recommending it to the people; its great champion in the Virginia convention of 1788, and its faithful vindicator in 1830, against the deleterious heresy of nullification, could have been spared to protect it from the still deadlier venom of secession! But he is gone; the principles, the traditions and the illustrious memories which gave to Virginia her name and her place in the land, are no longer cherished; the work of Washington, and Madison, and Randolph, and Pendleton, and Marshall is repudiated, and nullifiers, precipitators and seceders gather in secret conclave to destroy the constitution in the very building that holds the monumental statue of the father of his country!

Having had occasion to allude to the Virginia resolutions of 1798, I may observe that of these famous resolves, the subject of so much political romance, it is time that a little plain truth should be promulgated. The coun

try in 1798 was vehemently agitated by the struggles of the domestic parties which about equally divided it, and these struggles were urged to unwonted and extreme bitterness by the preparations made and making for a war with France. By an act of Congress passed in the summer of that year, the President of the United States was clothed with power to send from the country any alien whom he might judge dangerous to the public peace and safety, or who should be concerned in any treasonable or secret machinations against the government of the United States. This act was passed as a war measure; it was to be in force two years, and it expired by its own limitation on the 25th of June, 1800. War, it is true, had not been formally declared; but hostilities on the ocean had taken place on both sides, and the army of the United States had been placed upon a war footing. The measure was certainly within the war power, and one which no prudent commander, even without the authority of a statute, would hesitate to execute in an urgent case within his own district. Congress thought fit to provide for and regulate its exercise by law.

Two or three weeks later (July 14, 1798) another law was enacted, making it penal to combine or conspire with intent to oppose any lawful measure of the government of the United States, or to write, print or publish any false and scandalous writing against the government, either House of Congress, or the President of the United States. In prosecutions under this law it was provided that the truth might be pleaded in justification, and that the jury should be judges of the law as well as of the fact. This law was, by its own limitation, to expire at the close of the then current presidential term.

Such are the famous Alien and Sedition laws, passed under the administration of that noble and true-hearted revolutionary patriot John Adams, though not recommended by him officially or privately; adjudged to be constitutional by the Supreme Court of the United States, distinctly approved by Washington, Patrick Henry, and Marshall; and, whatever else may be said of them, certainly preferable to the laws which, throughout the seceding states, Judge Lynch would not fail to enforce at the lamp-post and tar-bucket against any person guilty of the offences against which these statutes are aimed.

It suited, however, the purposes of party at that time to raise a formidable clamor against these laws. It was in vain that their constitutionality was affirmed by the judiciary of the United States. "Nothing," said Washington, alluding to these laws, "will produce the least change in the conduct of the leaders of the opposition to the measures of the general government. They have points to carry from which no reasoning, no inconsistency of conduct, no absurdity can divert them." Such, in the

opinion of Washington, was the object for which the legislatures of Virginia and Kentucky passed their famous resolutions of 1798, the former drafted by Mr. Madison, and the latter by Mr. Jefferson, and sent to a friend in Kentucky to be moved. These resolutions were transmitted to the other states for their concurrence. The replies from the states which made any response were referred to committees in Virginia and Kentucky. In the legislature of Virginia an elaborate report was made by Mr. Madison, explaining and defending the resolutions; in Kentucky another resolve reaffirming those of the preceding year was drafted by Mr. Wilson Cary Nicholas. Our respect for the distinguished men who took the lead on this occasion, then ardently engaged in the warfare of politics, must not make us fear to tell the truth, that the simple object of the entire movement was to make "political capital" for the approaching election, by holding up to the excited imaginations of the masses the Alien and Sedition laws as an infraction of the constitution, which threatened the overthrow of the liberties of the people. The resolutions maintained that, the states being parties to the constitutional compact, in a case of deliberate, palpable and dangerous exercise of powers not granted by the compact, the states have a right and are in duty bound to interpose for preventing the progress of the evil.

Such, in brief, was the main purport of the Virginia and Kentucky resolutions. The sort of interposition intended was left in studied obscurity. Not a word was dropped of secession from the Union. Mr. Nicholas's resolution in 1799 hinted at "nullification" as the appropriate remedy for an unconstitutional law, but what was meant by the ill-sounding word was not explained. The words "null, void and of no effect" contained in the original draft of the Virginia resolutions were stricken from them on their passage through the Assembly; and Mr. Madison, in his report of 1799, carefully explains that no extra-constitutional measures were intended. One of the Kentucky resolutions ends with an invitation to the states to unite in a petition to Congress to repeal the laws.

These resolutions were communicated, as I have said, to the other states for concurrence. From most of them no response was received; some adopted dissenting reports and resolutions; not one concurred. But the resolutions did their work—all that they were intended or expected to do—by shaking the administration; at the ensuing election, Mr. Jefferson, at whose instance the entire movement was made, was chosen President by a very small majority; Mr. Madison was placed at the head of his administration as Secretary of State; the obnoxious laws expired by their own limitation, not repealed by the dominant party, as Mr. Calhoun with strange inadvertence asserts (*Discourse on the Constitution*, p. 359);

and Mr. Jefferson proceeded to administer the government upon constitutional principles quite as lax, to say the least, as those of his predecessors. If there was any marked departure in his general policy from the course hitherto pursued, it was that, having some theoretical prejudices against a navy, he allowed that branch of the service to languish. By no administration have the powers of the general government been more liberally construed—not to say further strained—sometimes beneficially, as in the acquisition of Louisiana—sometimes perniciously as in the embargo. The resolutions of 1798 and the metaphysics they inculcated were surrendered to the cobwebs, which habitually await the plausible exaggerations of the canvass after an election is decided. These resolutions of 1798 have been usually waked from their slumbers at closely contested elections as a party cry; the report of the Hartford Convention, without citing them by name, borrows their language; but as representing in their modern interpretation any system on which the government ever was or could be administered, they were buried in the same grave as the laws which called them forth.

Unhappily during their transient vitality, like the butterfly which deposits his egg in the apple-blossoms that have so lately filled our orchards with beauty and perfume—a gilded harmless moth, whose food is a dew-drop whose life is a midsummer's day—these resolutions, misconceived and perverted, proved in the minds of ambitious and reckless politicians the germ of a fatal heresy. The butterfly's egg is a microscopic speck, but as the fruit grows, the little speck gives life to a greedy and nauseous worm, that gnaws and bores to the heart of the apple, and renders it, though smooth and fair without, foul and bitter and rotten within. In like manner the theoretical generalities of these resolutions, intending nothing in the minds of their authors but constitutional efforts to procure the repeal of obnoxious laws, matured in the minds of a later generation into the deadly paradoxes of 1830 and 1860—kindred products of the same soil;—the one asserting the monstrous absurdity that a state, though remaining in the Union, could by her single act nullify a law of Congress; the other teaching the still more preposterous doctrine, that a single state may nullify the constitution. The first of these heresies failed to spread far beyond the latitude where it was engendered. In the Senate of the United States the great acuteness of its inventor, then the vice-president, and the accomplished rhetoric of its champion (Mr. Hayne), failed to raise it above the level of a plausible sophism. It sunk forever discredited beneath the sturdy common sense and indomitable will of Jackson, the mature wisdom of Livingston, the keen analysis of Clay, and the crushing logic of Webster.

Nor was this all: the venerable author of the resolutions of 1798 and

of the report of 1799, was still living in a green old age. His connection with those state papers and still more his large participation in the formation and adoption of the constitution, entitled him beyond all men living to be consulted on the subject. No effort was spared by the leaders of the nullification school to draw from him even a qualified assent to their theories. But in vain. He not only refused to admit their soundness, but he devoted his time and energies for three laborious years to the preparation of essays and letters, the object of which was to demonstrate that his resolutions and report did not and could not bear the Carolina interpretation. He earnestly maintained that the separate action of an individual state was not contemplated by them, and that they had in view nothing but the concerted action of the states to procure the repeal of unconstitutional laws or an amendment of the constitution.*

With one such letter written with this intent, I was myself honored. It filled ten pages of the journal in which, with his permission, it was published. It unfolded the true theory of the constitution and the meaning and design of the resolution, and exposed the false gloss attempted to be placed upon them, with a clearness and force of reasoning which defied refutation. None, to my knowledge, was ever attempted. The politicians of the nullification and secession school, as far as I am aware, have from that day to this made no attempt to grapple with Mr. Madison's letter of August, 1830. (*North American Review*, Vol. XXXI., p. 587.) Mr. Calhoun certainly made no such attempt in the elaborate treatise composed by him, mainly for the purpose of expounding the doctrine of nullification. He claims the support of these resolutions without adverting to the fact that his interpretation of them had been repudiated by their illustrious author. He repeats his exploded paradoxes as confidently as if Mr. Madison himself had expired with the Alien and Sedition laws, and left no testimony to the meaning of his resolutions; while, at the present day, with equal confidence, the same resolutions are appealed to by the disciples of Mr. Calhoun as sustaining the doctrine of secession, in the face of the positive declaration of their author, when that doctrine was first timidly broached, that they will bear no such interpretation.

In this respect the disciples have gone beyond the master. There is a single sentence in Mr. Calhoun's elaborate volume in which he maintains the right of a state to secede from the Union. (Page 301.) There is reason to suppose, however, that he intended to claim only the inalienable right of revolution. In 1828 a declaration of political principles was

* A very considerable portion of the important volume containing a selection from the Madison papers, and printed "exclusively for private distribution," by J. C. McGuire, Esq., in 1853, is taken up with these letters and essays.

drawn up by him for the state of South Carolina, in which it was expressly taught, that the people of that state, by adopting the federal constitution had "modified *its original right of sovereignty*, whereby its individual consent was necessary to any change in its political condition, and by becoming a member of the Union, had placed that power in the hands of three-fourths of the states [the number necessary for a constitutional amendment], in whom the highest power known to the constitution actually resides." In a recent patriotic speech of Mr. Reverdy Johnson, at Frederick, Md., on the 7th of May, the distinct authority of Mr. Calhoun is quoted as late as 1844 against the right of separate action on the part of an individual state, and I am assured by the same respected gentleman, that it is within his personal knowledge, that Mr. Calhoun did not maintain the peaceful right of secession.

But it may be thought a waste of time to argue against a constitutional right of peaceful secession, since no one denies the right of revolution; and no pains are spared by the disaffected leaders, while they claim indeed the constitutional right, to represent their movement as the uprising of an indignant people against an oppressive and tyrannical government.

An oppressive and tyrannical government! Let us examine this pretence for a few moments, first in the general and then in the detail of its alleged tyrannies and abuses.

This oppressive and tyrannical government is the successful solution of a problem which had tasked the sagacity of mankind from the dawn of civilization; viz.: to find a form of polity by which institutions purely popular could be extended over a vast empire, free alike from despotic centralization and undue preponderance of the local powers. It was necessarily a complex system, a Union at once federal and national. It leaves to the separate states the control of all matters of purely local administration, and confides to the central power the management of foreign affairs and of all other concerns in which the united family have a joint interest. All the organized and delegated powers depend directly or very nearly so on popular choice. This government was not imposed upon the people by a foreign conqueror; it is not an inheritance descending from barbarous ages, laden with traditionary abuses, which create a painful ever-recurring necessity of reform; it is not the conceit of heated enthusiasts in the spasms of a revolution. It is the recent and voluntary framework of an enlightened age, compacted by wise and good men, with deliberation and care, working upon materials prepared by long colonial discipline. In framing it they sought to combine the merits and to avoid the defects of former systems of government. The greatest possible liberty of

the citizen is the basis ; just representation the ruling principle, reconciling with rare ingenuity the federal equality of the states with the proportionate influence of numbers. Its legislative and executive magistrates are freely chosen at short periods ; its judiciary alone holding office by a more permanent but still sufficiently responsible tenure. No money flows into or out of the treasury but under the direct sanction of the representatives of the people, on whom also all the great functions of the government for peace and war, within the limits already indicated, are devolved. No hereditary titles or privileges ; no distinction of ranks, no established church, no courts of high commission are known to the system ; not a drop of blood has ever flowed under its authority for a political offence ; but this tyrannical and oppressive government has certainly exhibited a more perfect development of equal republican principles than has ever before existed on any considerable scale. Under its benign influence the country, every part of the country, has prospered beyond all former example. Its population has increased ; its commerce, agriculture and manufactures have flourished ; manners, arts, education, letters, all that dignifies and ennobles man, have in a shorter period attained a higher point of cultivation than has ever before been witnessed in a newly-settled region. The consequence has been consideration and influence abroad and marvellous well-being at home. The world has looked with admiration upon the country's progress ; we have ourselves contemplated it perhaps with undue self-complacency. Armies without conscription ; navies without impressment, and neither army nor navy swelled to an oppressive size ; an overflowing treasury without direct taxation or oppressive taxation of any kind ; churches without number and with no denominational preferences on the part of the state ; schools and colleges accessible to all the people ; a free and a cheap press ; all the great institutions of social life extending their benefits to the mass of the community. Such, no one can deny, is the general character of this oppressive and tyrannical government.

But perhaps this government, however wisely planned, however beneficial even in its operation, may have been rendered distasteful, or may have become oppressive in one part of the country and to one portion of the people, in consequence of the control of affairs having been monopolized or unequally shared by another portion. In a confederacy the people of one section are not well pleased to be even mildly governed by an exclusive domination of the other. In point of fact this is the allegation, the persistent allegation of the South, that from the foundation of the government it has been wielded by the people of the North for their special, often exclusive benefit, and to the injury and oppres-

sion of the South. Let us see. Out of seventy-two years since the organization of the government, the executive chair has for sixty-four years been filled nearly all the time by Southern Presidents, and when that was not the case, by Presidents possessing the confidence of the South. For a still longer period the controlling influence of the legislative and judicial departments of the government have centred in the same quarter. Of all the offices in the gift of the central power in every department, far more than her proportionate share has always been enjoyed by the South. She is at this moment revolting against a government, not only admitted to be the mildest and most beneficent ever organized this side Utopia, but one which she has herself from the first almost monopolized.

But are there no wrongs, abuses and oppressions alleged to have been suffered by the South, which have rendered her longer submission to the federal government intolerable, and which are pleaded as the motive and justification of the revolt? Of course there are, but with such variation and uncertainty of statement as to render their examination difficult. The manifesto of South Carolina of the 20th December last, which led the way in this inauspicious movement, sets forth nothing but the passage of state laws to obstruct the surrender of fugitive slaves. The document does not state that South Carolina herself ever lost a slave in consequence of these laws; it is not probable she ever did, and yet she makes the existence of these laws, which are wholly inoperative as far as she is concerned, and which probably never caused to the entire South the loss of a dozen fugitives, the ground for breaking up the Union and plunging the country into a civil war. But I shall presently revert to this topic.

Other statements in other quarters enlarge the list of grievances. In the month of November, after the result of the election was ascertained, a very interesting discussion of the subject of secession took place at Milledgeville, before the members of the legislature of Georgia and the citizens generally, between two gentlemen of great ability and eminence, since elected, the one Secretary of State, and the other Vice-President of the new confederacy; the former urging the necessity and duty of immediate secession—the latter opposing it. I take the grievances and abuses of the federal government, which the South has suffered at the hands of the North, and which were urged by the former speaker as the grounds of secession, as I find them stated and answered by his friend and fellow-citizen (then opposed to secession) according to the report in the Milledgeville papers.

And what think you, was the grievance in the front rank of those op-

pressions on the part of the North which have driven the long suffering and patient South to open rebellion against "the best government that the history of the world gives any account of?" It was not that upon which the convention of South Carolina relied. You will hardly believe it; posterity will surely not believe it. "We listened said Mr. Vice-President Stephens in his reply, "to my honorable friend last night (Mr. Toombs), as he recounted the evils of this government. *The first was the fishing bounties paid mostly to the sailors of New England.*" The bounty paid by the federal government to encourage the deep-sea fisheries of the United States!

You are aware that this laborious branch of industry has by all maritime states been ever regarded with special favor as the nursery of naval power. The fisheries of the American colonies before the American Revolution drew from Burke one of the most gorgeous bursts of eloquence in our language—in any language. They were all but annihilated by the revolution, but they furnished the men who followed Manly, and Tucker, and Biddle, and Paul Jones to the jaws of death. Reviving after the war, they attracted the notice of the first Congress, and were recommended to their favor by Mr. Jefferson, then Secretary of State. This favor was at first extended to them in the shape of a drawback of the duty on the various imported articles employed in the building and outfit of vessels and on the foreign salt used in preserving the fish. The complexity of this arrangement led to the substitution at first of a certain bounty on the quantity of fish exported; subsequently on the tonnage of the vessels employed in the fisheries. All administrations have concurred in the measure; Presidents of all parties—though there has not been much variety of party in that office—have approved the appropriations. If the North has a local interest in these bounties, the South got the principal food of her laboring population so much the cheaper: and she had her common share in the protection which the navy afforded her coasts, and in the glory which it shed on the flag of the country. But since, unfortunately, the deep-sea fisheries do not exist in the Gulf of Mexico, nor, as in the "age of Pyrrha," on the top of the Blue Ridge, it has been discovered of late years, that these bounties are a violation of the constitution; a largess bestowed by the common treasury on one section of the country, and not shared by the other; one of the hundred ways, in a word, in which the rapacious North is fattening upon the oppressed and pillaged South. You will naturally wish to know the amount of this tyrannical and oppressive bounty. It is stated by a senator from Alabama (Mr. Clay), who has warred against it with perseverance and zeal, and succeeded in the last Congress in carrying a bill through

the Senate for its repeal, to have amounted, on the average, to an annual sum of \$200,005. Such is the portentous grievance which in Georgia stands at the head of the acts of oppression, for which, although repealed in one branch of Congress, the Union is to be broken up and the country desolated by war. Switzerland revolted because an Austrian tyrant invaded the sanctity of her firesides, and compelled her fathers to shoot apples from the heads of her sons; the Low Countries revolted against the fires of the Inquisition; our fathers revolted because they were taxed by a parliament in which they were not represented; the cotton states revolt because a paltry subvention is paid to the hardy fishermen who form the nerve and muscle of the American navy.

But it is not, we shall be told, the amount of the bounty, but the principle, as our fathers revolted against a three-penny tax on tea. But that was because it was laid by a parliament in which the colonies were not represented, and which yet claimed the right to bind them in all cases. The fishing bounty is bestowed by a government which has been from the first controlled by the South. Then how unreasonable to expect or to wish, that, in a country so vast as ours, no public expenditure should be made for the immediate benefit for one part or one interest that cannot be identically repeated in every other. A liberal policy, or rather the necessity of the case, demands, that what the public good, upon the whole, requires, should under constitutional limitations be done where it is required, offsetting the local benefit which may accrue from the expenditure made in one place and for one object, with the local benefit from the same source, in some other place for some other object. More money was expended by the United States in removing the Indians from Georgia—eight or ten times as much was expended for the same object in Florida—as has been paid for fishing bounties in seventy years. For the last year, to pay for the expense of the post-office in the seceding states, and enable our fellow-citizens there to enjoy the comforts of a newspaper and letter mail to the same extent as they are enjoyed in the other states, three and a half millions of dollars were paid from the common treasury. The post-office bounty paid to the seceding states exceeded seventeen-fold the annual average amount of the fishing bounty paid to the North. In four years that excess would equal the sum total of the amount paid since 1792 in bounties to the deep-sea fishery!

The second of the grievances under which the South is laboring, and which, according to Mr. Stephens, was, on the occasion alluded to, pleaded by the Secretary of State of the seceding states as a ground for dissolving the Union, is the navigation laws, which give to American vessels the exclusive enjoyment of our own coasting trade. This also is a policy

coeval with the government of the United States, and universally adopted by maritime powers, though relaxed by England within the last few years. Like the fishing bounty it is a policy adopted for the purpose of fostering the commercial and with that the naval marine of the United States. All administrations of all parties have favored it; under its influence our commercial tonnage has grown up to be second to no other in the world, and our navy has proved itself adequate to all the exigencies of peace and war. And are these no objects in a national point of view? Are the seceding statesmen really insensible to interests of such a paramount national importance? Can they, for the sake of an imaginary infinitesimal reduction of coastwise freights, be willing to run even the risk of impairing our naval prosperity? Are they insensible to the fact that nothing but the growth of the American commercial marine protects the entire freighting interest of the country, in which the South is more deeply interested than the North, from European monopoly? The South did not always take so narrow a view of the subject. When the constitution was framed, and the American merchant marine was inconsiderable, the discrimination in favor of the United States vessels, which then extended to the foreign trade, was an object of some apprehension on the part of the planting states. But there were statesmen in the South at that day who did not regard the shipping interest as a local concern. "So far," said Mr. Edward Rutledge, in the South Carolina Convention of 1788, "from not preferring the Northern states by a navigation act, it would be politic to increase their strength by every means in our power; for we had no other resource in our days of danger than in the naval force of our northern friends, nor could we ever expect to become a great nation till we were powerful on the waters." (Elliott's Debates, IV., 299.) But "powerful on the waters" the South can never be. She has live-oak, naval stores, and gallant officers; but her climate and its diseases, the bars at the mouth of nearly all her harbors, the teredo, the want of a merchant marine and of fisheries, and the character of her laboring population, will forever prevent her becoming a great naval power. Without the protection of the navy of the United States, she would hold the ingress and egress of every port on her coast at the mercy, I will not say of the great maritime states of Europe; but of Holland, Denmark, and Austria, and Spain—of any second or third rate power, which can keep a few steam-frigates at sea.

It must be confessed, however, that there is a sad congruity between the conduct of our seceding fellow-citizens and the motives which they assign for it. They attempt a suicidal separation of themselves from a great naval power, of which they are now an integral part, and they put forward as the reason for this self-destructive course, the legislative meas-

ures which have contributed to the growth of the navy. A judicious policy designed to promote that end has built up the commercial and military marine of the Union to its present commanding stature and power; the South, though unable to contribute any thing to its prosperity but the services of her naval officers, enjoys her full share of the honor which it reflects on the country; and the protection which it extends to our flag, our coasts, and our commerce, but under the influence of a narrow-minded sectional jealousy, is willing to abdicate the noble position which she now fills among the nations of the earth; to depend for her very existence on the exigencies of the cotton market, to live upon the tolerance of the navies of Europe, and she assigns as leading causes for this amazing fatuity, that the northern fisheries have been encouraged by a trifling bounty, and that the northern commercial marine has the monopoly of the coastwise trade. And the politicians, who, for reasons like these, almost too frivolous to merit the time we have devoted to their examination, are sapping a noble framework of government, and drenching a fair and but for them prosperous country in blood, appeal to the public opinion of mankind for the justice of their cause and the purity of their motives, and lift their eyes to heaven for a blessing on their arms!

But the tariff is—with one exception—the alleged monster wrong for which South Carolina in 1832 drove the Union to the verge of a civil war, and which, next to the slavery question, the South has been taught to regard as the most grievous of the oppressions which she suffers at the hands of the North, and that by which she seeks to win the sympathy of the manufacturing states of Europe. I am certainly not going so far to abuse your patience as to enter into a discussion of the constitutionality or expediency of the protective policy, on which I am aware that opinions at the North differ, nor do I deem it necessary to expose the utter fallacy of the stupendous paradox, that duties, enhancing the price of imported articles, are paid, not by the consumer of the merchandise imported, but by the producer of the last article of export given in exchange. It is sufficient to say that for this maxim (the forty-bale theory so called), which has grown into an article of faith at the South, not the slightest authority ever has been, to my knowledge, adduced from any political economist of any school. Indeed, it can be shown to be a shallow sophism, inasmuch as the consumer must be the producer of the equivalents given in exchange for the article he consumes. But without entering into this discussion, I shall make a few remarks to show the great injustice of representing the protective system as being in its origin an oppression, of which the South has to complain on the part of the North.

Every such suggestion is a complete inversion of the truth of history.

Some attempts at manufactures by machinery were made at the North before the Revolution, but to an inconsiderable extent. The manufacturing system as a great northern interest is the child of the restrictive policy of 1807-1812, and of the war. That policy was pursued against the earnest opposition of the North, and the temporary prostration of their commerce, navigation and fisheries. Their capital was driven in this way into manufactures, and on the return of peace the foundations of the protective system were laid in the square-yard duty on cotton fabrics, in the support of which Mr. Calhoun, advised that the growth of the manufacture would open a new market for the staple of the South, took the lead. As late as 1821 the legislature of South Carolina unanimously affirmed the constitutionality of protective duties—and of all the states of the Union Louisiana has derived the greatest benefit from this policy; in fact she owes the sugar culture to it, and has for that reason given it her steady support. In all the tariff battles while I was a member of Congress, few votes were surer for the policy than that of Louisiana. If the duty on an article imported is considered as added to its price in our market (which, however, is far from being invariably the case), the sugar duty of late has amounted to a tax of five millions of dollars annually paid by the consumer for the benefit of the Louisiana planter.

As to its being an unconstitutional policy, it is perfectly well known that the protection of manufactures was a leading and avowed object for the formation of the constitution. The second law passed by Congress after its formation was a revenue law. Its preamble is as follows: "Whereas it is necessary for the support of government, for the discharge of the debts of the United States, and the encouragement and protection of manufactures, that duties be laid on goods, wares and merchandise imported." That act was reported to the House of Representatives by Mr. Madison, who is entitled as much as any one to be called the father of the constitution. While it was pending before the house, and in the first week of the first session of the first Congress two memorials were presented, praying for protective duties; and it is a matter of some curiosity to inquire from what part of the country this first call came for that policy, now put forward as one of the acts of Northern oppression which justify the South in flying to arms. The first of these petitions was from Baltimore. It implored the new government to lay a protecting duty on all articles imported from abroad which can be manufactured at home; the second was from the shipwrights of Charleston. South Carolina, praying for such a general regulation of trade, and the establishment of such a navigation act as will relieve the particular distresses of the petitioners, in common with those of their fellow-shipwrights throughout the Union!

But the history of the great Southern staple is most curious and instructive. His majesty "King Cotton," on his throne, does not seem to be aware of the influences which surrounded his cradle. The culture of cotton, on any considerable scale, is well known to be of recent date in America. The household manufacture of cotton was coeval with the settlement of the country. A century before the piano-forte or the harp was seen on this continent, the music of the spinning-wheel was heard at every fireside in town and country. The raw materials were wool, flax, and cotton, the last imported from the West Indies. The colonial system of Great Britain before the Revolution forbade the establishment of any other than household manufactures. Soon after the Revolution, cotton mills were erected in Rhode Island and Massachusetts, and the infant manufacture was encouraged by state duties on the imported fabric. The raw material was still derived exclusively from the West Indies. Its culture in this country was so extremely limited and so little known that a small parcel sent from the United States to Liverpool in 1784 was seized at the custom-house there as an illicit importation of British colonial produce. Even as late as 1794, and by persons so intelligent as the negotiators of Jay's treaty, it was not known that cotton was an article of growth and export from the United States. In the twelfth article of that treaty, as laid before the Senate, cotton was included with molasses, sugar, coffee, and cocoa, as articles which American vessels should not be permitted to carry from the islands, or from the United States to any foreign country.

In the revenue law of 1790 as it passed through the House of Representatives, cotton with other raw materials was placed on the free list. When the bill reached the Senate a duty of three cents per pound was laid upon cotton, not to encourage, not to protect, but to create the domestic culture. On the discussion of this amendment in the House, a member from South Carolina declared that "cotton was in contemplation" in South Carolina and Georgia, "*and if good seed could be procured he hoped it might succeed.*" On this hope the amendment of the Senate was concurred in, and the duty of three cents per pound was laid on cotton. In 1791 Hamilton, in his report on manufactures, recommended the repeal of this duty, on the ground that it was "a very serious impediment to the manufacture of cotton," but his recommendation was disregarded.

Thus in the infancy of the cotton manufactures of the North, at the moment when they were deprived of the protection extended to them before the constitution by state laws, and while they were struggling against English competition under the rapidly improving machinery of Arkwright, which it was highly penal to export to foreign countries, a heavy burden was laid upon them by this protecting duty, to enable the planters of South

Carolina and Georgia to explore the tropics, for a variety of cotton-seed adapted to their climate. For seven years at least, and probably more, this duty was in every sense of the word a protecting duty. There was not a pound of cotton spun, no not for candlewicks to light the humble industry of the cottages of the North, which did not pay this tribute to the Southern planter. The growth of the native article, as we have seen, had not in 1794 reached a point to be known to Chief-Justice Jay as one of actual or probable export. As late as 1796, the manufacturers of Brandywine in Delaware petitioned Congress for the repeal of this duty on imported cotton, and the petition was rejected on the report of a committee, consisting of a majority from the Southern states, on the ground that "to repeal the duty on raw cotton imported would be to damp the growth of cotton in our own country." Radicle and plumule, root and branch, blossom and boll, the culture of the cotton-plant in the United States was, in its infancy, the foster-child of the protective system.

When therefore, the pedigree of "king cotton" is traced, he is found to be the lineal child of the tariff; called into being by a specific duty; reared by a tax laid upon the manufacturing industry of the North, to create the culture of the raw material in the South. The northern manufactures of America were slightly protected in 1789, because they were too feeble to stand alone. Reared into magnitude under the restrictive system and the war of 1812, they were upheld in 1816 because they were too important to be sacrificed, and because the great staple of the South had a joint interest in their prosperity. King cotton alone, not in his manhood, nor in his adolescence, not in his infancy, but in his very embryo state, was pensioned upon the treasury—before the seed from which he sprang was cast "in the lowest parts of the earth." In the book of the tariff "his members were written, which were fashioned in countenance, when as yet there were none of them."

But it was not enough to create the culture of cotton at the South, by taxing the manufactures of the North with a duty on the raw material, the extension of that culture and the prosperity which it has conferred upon the South are due to the mechanical genius of the North. What says Mr. Justice Johnson of the Supreme Court of the United States, and a citizen of South Carolina? "With regard to the utility of this discovery" (the cotton-gin of Whitney), "the court would deem it a waste of time to dwell long upon this topic. Is there a man who hears us that has not experienced its utility? The whole interior of the Southern states was languishing and its inhabitants emigrating for want of some object to engage their attention and employ their industry, when the invention of this machine at once opened views to them which set the whole country

in active motion. From childhood to age it has presented us a lucrative employment. Individuals who are depressed in poverty and sunk in idleness, have suddenly risen to wealth and respectability. Our debts have been paid off; our capitals increased, and our lands trebled in value. We cannot express the weight of obligation which the country owes to this invention; the extent of it cannot now be seen." Yes, and when happier days shall return, and the South, awakening from her suicidal delusion, shall remember who it was that sowed her sunny fields with the seeds of those golden crops with which she thinks to rule the world, she will cast a veil of oblivion over the memory of the ambitious men who have goaded her to her present madness, and will rear a monument of her gratitude in the beautiful City of Elms, over the ashes of her greatest benefactor—Eli Whitney.

But the great complaint of the South, and that which is admitted to be the occasion of the present revolt, is the alleged interference of the North in the Southern institution of slavery; a subject on which the sensibilities of the two sections have been so deeply and fearfully stirred, that it is nearly impossible to speak words of impartial truth. As I have already stated, the declaration by South Carolina, of the causes which prompted her to secede from the Union, alleged no other reason for this movement than the enactment of laws to obstruct the surrender of fugitive slaves. The declaration does not state that South Carolina ever lost a slave by the operation of these laws, and it is doubtful whether a dozen from all the states have been lost from this cause. A gross error on this subject pervades the popular mind at the South. Some hundreds of slaves in the aggregate escape annually; some to the recesses of the Dismal Swamp; some to the everglades of Florida; some to the trackless mountain region which traverses the South; some to the Mexican states and the Indian tribes; some across the free states to Canada. The popular feeling of the South ascribes the entire loss to the laws of the free states; while it is doubtful whether these laws cause any portion of it. The public sentiment of the North is not such, of course, as to dispose the community to obstruct the escape or aid the surrender of slaves. Neither is it at the South.

No one, I am told, at the South, not called upon by official duty, joins in the hue and cry after a fugitive; and whenever he escapes from any state south of the border tier, it is evident that his flight must have been aided in a community of slaveholders. If the North Carolina fugitive escapes through Virginia, or the Tennessee fugitive escapes through Kentucky, why are Pennsylvania and Ohio alone blamed? On this whole subject the grossest injustice is done to the North. She is expected to be more

tolerant of slavery than the South herself; for while the South demands of the North entire acquiescence in the extremest doctrines of slave property, it is a well known fact, and as such alluded to by Mr. Clay in his speech on the compromises of 1850, that any man who habitually traffics in this property is held in the same infamy at Richmond and New Orleans that he would be at Philadelphia or Cincinnati.

While South Carolina, assigning the cause of secession, confines herself to the state laws for obstructing the surrender of fugitives, in other quarters, by the press, in the manifestoes and debates on the subject of secession, and in the official papers of the new confederacy, the general conduct of the North, with respect to slavery, is put forward as the justifying, nay the compelling cause of the revolution. This subject, still more than that of the tariff, is too trite for discussion, with the hope of saying any thing new on the general question. I will but submit a few considerations to show the great injustice which is done to the North, by representing her as the aggressor in this sectional warfare.

The Southern theory assumes that, at the time of the adoption of the constitution, the same antagonism prevailed as now between the North and South, on the general subject of slavery; that although it existed to some extent in all the states but one of the Union, it was a feeble and declining interest at the North, and mainly seated at the South; that the soil and climate of the North were soon found to be unpropitious to slave labor, while the reverse was the case at the South; that the Northern states, in consequence, having from interested motives abolished slavery, sold their slaves to the South, and that then, although the existence of slavery was recognized and its protection guarantied by the constitution, as soon as the Northern states had acquired a controlling voice in Congress, a persistent and organized system of hostile measures, against the rights of the owners of slaves in the Southern states, was inaugurated and gradually extended, in violation of the compromises of the constitution, as well as of the honor and good faith tacitly pledged to the South, by the manner in which the North disposed of her slaves.

Such, in substance, is the statement of Mr. Davis in his late message, and he then proceeds, seemingly as if rehearsing the acts of this northern majority in Congress, to refer to the anti-slavery measures of the state legislatures, to the resolutions of abolition societies, to the passionate appeals of the party press, and to the acts of lawless individuals during the progress of this unhappy agitation.

Now this entire view of the subject, with whatever boldness it is affirmed, and with whatever persistency it is repeated, is destitute of foundation. It is demonstrably at war with the truth of history, and is con-

tradicted by facts known to those now on the stage, or which are matters of recent record. At the time of the adoption of the constitution, and long afterwards, there was, generally speaking, no sectional difference of opinion between North and South on the subject of slavery. It was in both parts of the country regarded, in the established formula of the day, "as a social, political and moral evil." The general feeling in favor of universal liberty and the rights of man, wrought into fervor in the progress of the revolution, naturally strengthened the anti-slavery sentiment throughout the Union. It is the South which has since changed, not the North. The theory of a change in the Northern mind, growing out of a discovery made soon after 1789, that our soil and climate were unpropitious to slavery (as if the soil and climate then were different from what they had always been), and a consequent sale to the South of the slaves of the North, is purely mythical; as groundless in fact as it is absurd in statement. I have often asked for the evidence of this last allegation, and I have never found an individual who attempted even to prove it. But however this may be, the South at that time regarded slavery as an evil, though a necessary one, and habitually spoke of it in that light. Its continued existence was supposed to depend upon keeping up the African slave-trade; and South as well as North, Virginia as well as Massachusetts, passed laws to prohibit that traffic; they were, however, before the Revolution, vetoed by the royal governors. One of the first acts of the Continental Congress, unanimously subscribed by its members, was an agreement neither to import nor purchase any slave imported after the first of December, 1774. In the Declaration of Independence, as originally drafted by Mr. Jefferson, both slavery and the slave-trade were denounced in the most uncompromising language. In 1777 the traffic was forbidden in Virginia by state law, no longer subject to the veto of royal governors. In 1784 an ordinance was reported by Mr. Jefferson to the old Congress, providing that after 1800 there should be no slavery in any territory ceded or to be ceded to the United States. The ordinance failed at that time to be enacted, but the same prohibition formed a part, by general consent, of the ordinance of 1787 for the organization of the Northwestern territory. In his Notes on Virginia, published in that year, Mr. Jefferson depicted the evils of slavery in terms of fearful import. In the same year the constitution was framed. It recognized the existence of slavery, but the word was carefully excluded from the instrument, and Congress was authorized to abolish the traffic in twenty years. In 1796, Mr. St. George Tucker, Law Professor in William and Mary College in Virginia, published a treatise entitled "Proposal for the Gradual Abolition of Slavery, Dedicated to the General Assembly of the people of Virginia." In the preface

to the essay he speaks of the "abolition of slavery in this state as an object of the first importance, not only to our moral and domestic peace, but even to our political salvation." In 1797 Mr. Pinckney, in the legislature of Maryland, maintained that "by the eternal principles of justice no man in the state has the right to hold his slave a single hour." In 1803, Mr. John Randolph, from a committee on the subject, reported that "the prohibition of slavery by the ordinance of 1787 was wisely calculated to promote the happiness and prosperity of the northwestern states and to give strength and security to that extensive frontier." Under Mr. Jefferson, the importation of slaves into the territories of Mississippi and Louisiana was prohibited in advance of the time limited by the constitution for the interdiction of the slave-trade. When the Missouri restriction was enacted, all the members of Mr. Monroe's cabinet—Mr. Crawford, Mr. Calhoun and Mr. Wirt—concurred with Mr. Monroe in affirming its constitutionality. In 1832, after the Southampton Massacre, the evils of slavery were exposed in the legislature of Virginia, and the expediency of its gradual abolition maintained, in terms as decided as were ever employed by the most uncompromising agitator. A bill for that object was introduced into the Assembly by the grandson of Mr. Jefferson, and warmly supported by distinguished politicians now on the stage. Nay, we have the recent admission of the Vice-President of the seceding confederacy, that what he calls "the errors of the past generation," meaning the anti-slavery sentiments entertained by Southern statesmen, "still clung to many as late as twenty years ago."

To this hasty review of Southern opinions and measures, showing their accordance till a late date with Northern sentiment on the subject of slavery, I might add the testimony of Washington, of Patrick Henry, of George Mason, of Wythe, of Pendleton, of Marshall, of Lowndes, of Poinsett, of Clay, and of nearly every first-class name in the Southern states. Nay, as late as 1849, and after the Union had been shaken by the agitations incident to the acquisition of Mexican territory, the convention of California, although nearly one half of its members were from the slaveholding states, unanimously adopted a constitution by which slavery was prohibited in that state. In fact it is now triumphantly proclaimed by the chiefs of the revolt, that the ideas prevailing on this subject when the constitution was adopted are fundamentally wrong; that the new government of the Confederate States "rests upon exactly the opposite ideas; that its foundations are laid and its corner-stone reposes upon the great truth that the negro is not equal to the white man; that slavery—subordination to the superior race—is his natural and normal condition. Thus our new government is the first in the history of the world based

upon this physical, philosophical and moral truth." So little foundation is there for the statement that the North, from the first, has been engaged in a struggle with the South on the subject of slavery, or has departed in any degree from the spirit with which the Union was entered into by both parties, the fact is precisely the reverse.

Mr. Davis, in his message to the Confederate States, goes over a long list of measures which he declares to have been inaugurated, and gradually extended, as soon as the northern states had reached a sufficient number to give their representatives a controlling voice in Congress. But of all those measures not one is a matter of Congressional legislation, nor has Congress, with this alleged controlling voice on the part of the North, ever either passed a law hostile to the interests of the South, on the subject of slavery, or failed to pass one which the South has claimed as belonging to her rights or needed for her safety. In truth, the anti-slavery North never has had the control of both houses of Congress, never of the judiciary, rarely of the executive, and never exerted these to the prejudice of Southern rights. Every judicial or legislative issue on this question, with the single exception of the final admission of Kansas, that has ever been raised before Congress, has been decided in favor of the South, and yet she allows herself to allege "a persistent and organized system of hostile measures against the rights of the owners of slaves" as the justification of her rebellion.

The hostile measures alluded to are, as I have said, none of them matters of Congressional legislation. Some of them are purely imaginary as to any injurious effect, others much exaggerated, others unavoidably incident to freedom of speech and the press. You are aware, my friends, that I have always disapproved the agitation of slavery for party purposes, or with a view to infringe upon the constitutional rights of the South. But if the North has given cause of complaint in this respect, the fault has been equally committed by the South. The subject has been fully as much abused there as here for party purposes, and if the North has ever made it the means of gaining a sectional triumph, she has but done what the South, for the last twenty-five years, has never missed an occasion of doing. With respect to every thing substantial in the complaints of the South against the North, Congress and the states have afforded or tendered all reasonable—all possible—satisfaction. She complained of the Missouri Compromise, although adopted in conformity with all the traditions of the government and approved by the most judicious Southern statesmen, and after thirty-four years' acquiescence on the part of the people, Congress repealed it. She asked for a judicial decision of the territorial question in her favor, and the Supreme Court of the United

States, in contravention of the whole current of our legislation, so decided it. She insisted on carrying this decision into effect, and three new territories, at the very last session of Congress, were organized in conformity to it, as Utah and New Mexico had been before it was rendered. She demanded a guaranty against amendments of the constitution adverse to her interests, and it was given by the requisite majority of the two Houses. She required the repeal of the state laws obstructing the surrender of fugitive slaves, and although she had taken the extreme remedy of revolt into her hands, they were repealed or modified. Nothing satisfied her, because there was an active party in the cotton-growing states, led by ambitious men, determined on disunion, who were resolved not to be satisfied. In one instance alone the South has suffered defeat. The North, for the first time since the foundation of the government, has chosen a President by her unaided electoral vote; and that is the occasion of the present unnatural war. I did not, as you know, contribute to that result, but I did enlist under the banner of "the Union, the constitution, and the enforcement of the laws." Under that banner I mean to stand, and with it, if it is struck down, I am willing to fall. Even for this result the South has no one to blame but herself. Her disunionists would give their votes for no candidate but the one selected by leaders who avowed the purpose of effecting a revolution of the cotton states, and who brought about a schism in the democratic party directly calculated, probably designed, to produce the event which actually took place with all its dread consequences.

I trust I have shown the flagrant injustice of this whole attempt to fasten upon the North the charge of wielding the powers of the federal government to the prejudice of the South. But there is one great fact connected with this subject, seldom prominently brought forward, which ought forever to close the lips of the South, in this warfare of sectional reproach. Under the old confederation the Congress consisted of but one House, and each state, large and small, had but a single vote and consequently an equal share in the government, if government it could be called, of the Union. This manifest injustice was barely tolerable in a state of war, when the imminence of the public danger tended to produce unanimity of feeling and action. When the country was relieved from the pressure of the war, and discordant interests more and more disclosed themselves, the equality of the states became a positive element of discontent, and contributed its full share to the downfall of that short-lived and ill-compacted frame of government.

Accordingly, when the Constitution of the United States was formed, the great object and the main difficulty was to reconcile the equality of

the states (which gave to Rhode Island and Delaware equal weight with Virginia and Massachusetts), with a proportionate representation of the people. Each of these principles was of vital importance; the first being demanded by the small states, as due to their equal independence, and the last being demanded by the large states, in virtue of the fact, that the Constitution was the work and the government of the people, and in conformity with the great law in which the revolution had its origin, that representation and taxation should go hand in hand.

The problem was solved in the federal convention by a system of extremely refined arrangements, of which the chief was that there should be two Houses of Congress; that each state should have an equal representation in the Senate (voting, however, not by states but *per capita*), and a number of representatives in the House in proportion to its population. But here a formidable difficulty presented itself, growing out of the anomalous character of the population of the slaveholding states, consisting as it did of a dominant and a subject class—the latter excluded by local law from the enjoyment of all political rights and regarded simply as property. In this state of things, was it just or equitable that the slaveholding states, in addition to the number of representatives to which their free population entitled them, should have a further share in the government of the country, on account of the slaves held as property by a small portion of the ruling class? While property of every kind in the non-slaveholding states was unrepresented, was it just that this species of property, forming a large proportion of the entire property of the South, should be allowed to swell the representation of the slaveholding states?

This serious difficulty was finally disposed of, in a manner mutually satisfactory, by providing that representatives and direct taxes should be apportioned among the states on the same basis of population, ascertained by adding to the whole number of free persons three-fifths of the slaves. It was expected at this time, that the federal treasury would be mainly supplied by direct taxation. While, therefore, the rule adopted gave to the South a number of representatives out of proportion to the number of her citizens, she would be restrained from exercising this power to the prejudice of the North, by the fact that any increase of the public burdens would fall in the same increased proportion on herself. For the additional weight which the South gained in the Presidential election, by this adjustment, the North received no compensation.

But now mark the practical operation of the compromise. Direct taxation, instead of being the chief resource of the treasury, has been resorted to but four times since the foundation of the government, and then for small amounts, in 1798 two millions of dollars, in 1813 three millions,

in 1815 six millions, in 1815 three millions again, in all fourteen millions, the sum total raised by direct taxation in seventy-two years, less than an average of two hundred thousand dollars a year. What number of representatives, beyond the proportion of their free population, the South has elected in former Congresses I have not computed. In the last Congress she was represented by twenty members in behalf of her slaves, being nearly one-eleventh part of the entire House. As the increasing ratio of the two classes of the population has not greatly varied, it is probable that the South, in virtue of her slaves, has always enjoyed about the same proportionate representation in the House in excess of that accruing from her free population. As it has rarely happened, in our political divisions, that important measures have been carried by large majorities, this excess has been quite sufficient to assure the South a majority on all sectional questions. It enabled her to elect her candidate for the Presidency in 1800, and thus effect the great political revolution of that year, and is sufficient of itself to account for that approach to a monopoly of the government which she has ever enjoyed.

Now, though the consideration for which the North agreed to this arrangement may be said to have wholly failed, it has nevertheless been quietly acquiesced in. I do not mean that in times of high party excitement it has never been alluded to as a hardship. The Hartford Convention spoke of it as a grievance which ought to be remedied; but even since our political controversies have turned almost wholly on the subject of slavery, I am not aware that this entire failure of the equivalent, for which the North gave up to the South what has secured her in fact the almost exclusive control of the government of the country, has been a frequent or a prominent subject of complaint.

So much for the pursuit of the North of measures hostile to the interests of the South;—so much for the grievances urged by the South as her justification for bringing upon the country the crimes and sufferings of civil war, and aiming at the prostration of a government admitted by herself to be the most perfect the world has seen, and under which all her own interests have been eminently protected and favored; for, to complete the demonstration of the unreasonableness of her complaints, it is necessary only to add, that by the admission of her leading public men, there never was a time, when her “peculiar institution” was so stable and prosperous as at the present moment.

And now let us rise from these disregarded appeals to the truth of history and the wretched subtleties of the secession school of argument, and contemplate the great issue before us, in its solemn practical reality. “Why should we not,” it is asked, “admit the claims of the seceding states,

acknowledge their independence, and put an end at once to the war?" "Why should we not?" I answer the question by asking another, "Why should we?" What have we to hope from the pursuit of that course? Peace? But we were at peace before. Why are we not at peace now? The North has not waged the war; it has been forced upon us in self-defence; and if, while they had the constitution and the laws, the executive Congress and the courts, all controlled by themselves, the South, dissatisfied with legal protections and constitutional remedies, has grasped the sword, can North and South hope to live in peace, when the bonds of Union are broken, and amicable means of adjustment are repudiated? Peace is the very last thing which secession, if recognized, will give us; it will give us nothing but a hollow truce—time to prepare the means of new outrages. It is in its very nature a perpetual cause of hostility; an eternal, never-cancelled letter of marque and reprisal, an everlasting proclamation of border war. How can peace exist, when all the causes of dissension are indefinitely multiplied; when unequal revenue laws shall have led to a gigantic system of smuggling, when a general stampede of slaves shall take place along the border, with no thought of rendition, and all the thousand causes of mutual irritation shall be called into action, on a frontier of fifteen hundred miles not marked by natural boundaries and not subject to a common jurisdiction or a mediating power? We did believe in peace; fondly, credulously believed that, cemented by the mild umpirage of the federal Union, it might dwell forever beneath the folds of the star-spangled banner and the sacred shield of a common nationality. That was the great *arcanum* of policy; that was the state mystery into which men and angels desired to look; hidden from ages but revealed to us:

"Which kings and prophets waited for,
And sought, but never found:"

a family of states independent for local concerns, united under one government for the management of common interests and the prevention of internal feuds. There was no limit to the possible extension of such a system. It had already comprehended half of North America, and it might, in the lapse of ages, have folded the continent in its peaceful, beneficent embrace. We fondly dreamed that, in the lapse of ages, it would have been extended till half the western hemisphere had realized the vision of universal, perpetual peace. From that dream we have been rudely startled by the array of ten thousand armed men in Charleston harbor, and the roar of eleven batteries raining a storm of iron hail on one poor, siege-worn company, because, in obedience to lawful authority, in the performance of sworn duty, the gallant Anderson resolved to keep his

oath. That brave and faithful band, by remaining at their post, did not hurt a hair of the head of a Carolinian, bond or free. The United States proposed not to reinforce, but to feed them. But the Confederate leaders would not allow them even the poor boon of being starved into surrender: and because some laws had been passed somewhere, by which it was alleged that the return of some slaves (not one from Carolina) had been or might be obstructed, South Carolina disclaiming the protection of courts and of Congress, which had never been withheld from her, has inaugurated a ruthless civil war. If, for the frivolous reasons assigned, the seceding states have chosen to plunge into this gulf, while all the peaceful temperaments and constitutional remedies of the Union were within their reach, and offers of further compromise and additional guaranties were daily tendered them, what hope, what possibility of peace, can there be, when the Union is broken up, when, in addition to all other sources of deadly quarrel, a general exodus of the slave population begins (as beyond all question it will), and nothing but war remains for the settlement of controversies? The Vice-President of the new confederacy states that it rests on slavery; but from its very nature it must rest equally on war: eternal war, first between North and South and then between the smaller fragments into which the disintegrated parts may crumble. The work of demons has already begun. Besides the hosts mustered for the capture or destruction of Washington, Eastern Virginia has let loose the dogs of war on the loyal citizens of Western Virginia; they are straining at the leash in Maryland and Kentucky; Tennessee threatens to set a price on the head of her noble Johnson and his friends; a civil war rages in Missouri. Why, in the name of heaven, has not Western Virginia, separated from Eastern Virginia by mountain ridges, by climate, by the course of her rivers, by the character of her population, and the nature of her industry, why has she not as good a right to stay in the Union which she inherited from her Washington, as Eastern Virginia has to abandon it for the mushroom confederacy forced upon her from Montgomery? Are no rights sacred but those of rebellion; no oaths binding but those taken by men already foresworn; are liberty of thought, and speech, and action nowhere to be tolerated except where laws are trampled underfoot, arsenals and mints plundered, governments warred against, and their patriotic defenders assailed by ferocious and murderous mobs?

Then consider the monstrous nature and reach of the pretensions in which we are expected to acquiesce; which are nothing less than that the United States should allow a FOREIGN POWER, by surprise, treachery and violence, to possess itself of one half of their territory and all the public property and public establishments contained in it; for if the Southern

Confederacy is recognized it becomes a foreign power, established along a curiously dove-tailed frontier of 1,500 miles, commanding some of the most important commercial and military positions and lines of communication for travel and trade, half the sea-coast of the Union, the navigation of our Mediterranean Sea (the Gulf of Mexico, one-third as large as the Mediterranean of Europe), and, above all, the great arterial inlet into the heart of the continent, through which its very life-blood pours its imperial tides. I say we are coolly summoned to surrender all this to a foreign power. Would we surrender it to England, to France, to Spain? Not an inch of it; why, then, to the Southern Confederacy? Would any other government on earth, unless compelled by the direst necessity, make such a surrender? Does not France keep an army of 100,000 men in Algeria to prevent a few wandering tribes of Arabs—a recent conquest—from asserting their independence? Did not England strain her resources to the utmost tension to prevent the native kingdoms of Central India (civilized states two thousand years ago, and while painted chieftains ruled the savage clans of ancient Britain) from re-establishing their sovereignty; and shall we be expected, without a struggle, to abandon a great integral part of the United States to a foreign power?

Let it be remembered, too, that in granting to the seceding states jointly and severally the right to leave the Union, we concede to them the right of resuming, if they please, their former allegiance to England, France and Spain. It rests with them, with any one of them, if the right of secession is admitted, again to plant a European government side by side with that of the United States on the soil of America; and it is by no means the most improbable upshot of this ill-starred rebellion, if allowed to prosper. The disunion press in Virginia last year openly encouraged the idea of a French Protectorate, and her legislature has, I believe, sold out the James River Canal—the darling enterprise of Washington—to a company in France supposed to enjoy the countenance of the Emperor. The seceding patriots of South Carolina were understood by the correspondent of the London *Times* to admit that they would rather be subject to a British Prince than to the government of the United States. Whether they desire it or not, the moment the seceders lose the protection of the United States they hold their independence at the mercy of the powerful governments of Europe. If the navy of the North should withdraw its protection, there is not a Southern state on the Atlantic or the Gulf which might not be recolonized by Europe, in six months after the outbreak of a foreign war.

Then look at the case for a moment in reference to the acquisitions of territory made on this side of the continent within the present century—

Florida, Louisiana, Texas, and the entire coast of Alabama and Mississippi; vast regions acquired from France, Spain and Mexico within sixty years. Louisiana cost 15,000,000 dollars, when our population was 5,000,000, representing, of course, 90,000,000 of dollars at the present day. Florida cost 5,000,000 dollars in 1820, when our population was less than 10,000,000, equal to 15,000,000 dollars at the present day, besides the expenses of General Jackson's war in 1818, and the Florida war of 1840, in which some 80,000,000 of dollars were thrown away for the purpose of driving a handful of starving Seminoles from the Everglades. Texas cost 200,000,000 dollars, expended in the Mexican war, in addition to the lives of thousands of brave men; besides 10,000,000 dollars paid to her in 1850 for ceding a tract of land which was not hers to New Mexico. A great part of the expense of the military establishment of the United States has been incurred in defending the southwestern frontier. The troops, meanly surprised and betrayed in Texas, were sent there to protect her defenceless border-settlements from the tomahawk and scalping-knife. If to all this expenditure we add that of the forts, the navy-yards, the court-houses, the custom-houses, and the other public buildings in these regions, 500,000,000 dollars of the public funds, of which at least five-sixths are levied by indirect taxation from the North and Northwest, have been expended in and for the Gulf states in this century. Would England, would France, would any government on the face of the earth surrender without a death-struggle such a dear-bought territory?

But of this I make no account; the dollars are spent; let them go. But look at the subject for a moment in its relations to the safety, to the prosperity and the growth of the country. The Missouri and the Mississippi rivers, with their hundred tributaries, give to the great central basin of our continent its character and destiny. The outlet of this mighty system lies between the states of Tennessee and Missouri, of Mississippi and Arkansas, and through the state of Louisiana. The ancient province so-called, the proudest monument of the mighty monarch whose name it bears, passed from the jurisdiction of France to that of Spain in 1763. Spain coveted it, not that she might fill it with prosperous colonies and rising states, but that it might stretch as a broad waste barrier, infested with warlike tribes, between the Anglo-American power and the silver mines of Mexico. With the independence of the United States the fear of a still more dangerous neighbor grew upon Spain, and in the insane expectation of checking the progress of the Union westward, she threatened and at times attempted to close the mouth of the Mississippi on the rapidly increasing trade of the West. The bare suggestion of such a policy roused

the population upon the banks of the Ohio, then inconsiderable, as one man. Their confidence in Washington scarcely restrained them from rushing to the seizure of New Orleans, when the treaty of San Lorenzo El Real in 1795 obtained for them a precarious right of navigating the noble river to the sea, with a right of deposit at New Orleans. This subject was for years the turning point of the politics of the West, and it was perfectly well understood that sooner or later she would be content with nothing less than the sovereign control of the mighty stream, from its head spring to its outlet in the Gulf; and that is as true now as it was then.

So stood affairs at the close of the last century, when the colossal power of the first Napoleon burst upon the world. In the vast recesses of his Titanic ambition he cherished as a leading object of his policy to acquire for France a colonial empire which should balance that of England. In pursuit of this policy he fixed his eye on the ancient regal colony which Louis XIV. had founded in the heart of North America, and he tempted Spain, by the paltry bribe of creating a kingdom of Etruria for a Bourbon prince to give back to France the then boundless wastes of the territory of Louisiana. The cession was made by the secret treaty of San Ildefonso of the 1st of October, 1800 (of which one sentence only has ever been published, but that sentence gave away half a continent), and the youthful conqueror concentrated all the resources of his mighty genius on the accomplishment of the vast project. If successful, it would have established the French power on the mouth and on the right bank of the Mississippi, and would have opposed the most formidable barrier to the expansion of the United States. The peace of Amiens, at this juncture, relieved Napoleon from the pressure of the war with England, and every thing seemed propitious to the success of the great enterprise. The fate of America trembled for a moment in a doubtful balance, and five hundred thousand citizens in that region felt the danger and sounded the alarm. (Speech of Mr. Ross in the Senate of the United States, 14th February, 1803.)

But in another moment the aspect of affairs was changed, by a stroke of policy, grand, unexpected, and fruitful of consequences, perhaps without a parallel in history. The short-lived truce of Amiens was about to end, the renewal of war was inevitable. Napoleon saw that before he could take possession of Louisiana it would be wrested from him by England, who commanded the seas, and he determined at once, not merely to deprive her of this magnificent conquest, but to contribute as far as in him lay to build up a great rival maritime power in the West. The government of the United States, not less sagacious, seized the golden moment—

a moment such as does not happen twice in a thousand years. Mr. Jefferson perceived that, unless acquired by the United States, Louisiana would in a short time belong to France or to England, and with equal wisdom and courage he determined that it should belong to neither. True, he held the acquisition to be unconstitutional, but he threw to the winds the resolutions of 1798, which had just brought him into power; he broke the Constitution and he saved an empire. Mr. Monroe was sent to France to conduct the negotiation in conjunction with Chancellor Livingston, the resident minister, contemplating at that time only the acquisition of New Orleans and the adjacent territory.

But they were dealing with a man that did nothing by halves. Napoleon knew—and we know—that to give up the mouth of the river was to give up its course. On Easter-Sunday of 1803 he amazed his council with the announcement that he had determined to cede the whole of Louisiana to the United States. Not less to the astonishment of the American envoys, they were told by the French negotiators at the first interview, that their master was prepared to treat with them not merely for the Isle of New Orleans, but for the whole vast province which bore the name of Louisiana; whose boundaries, then unsettled, have since been carried on the north to the British line; on the west to the Pacific Ocean—a territory half as big as Europe, transferred by a stroke of the pen. Fifty-eight years have elapsed since the acquisition was made. The states of Louisiana, Arkansas, Missouri, Iowa, Minnesota and Kansas, the territories of Nebraska, Dacotah and Jefferson, have been established within its limits, on this side of the Rocky Mountains; the state of Oregon and the territory of Washington on their western slope; while a tide of population is annually pouring into the region destined in addition to the natural increase, before the close of the century, to double the number of the states and territories. For the entire region west of the Alleghanies and east of the Rocky Mountains, the Missouri and the Mississippi form the natural outlet to the sea. Without counting the population of the seceding states, there are ten millions of the free citizens of the country, between Pittsburg and Fort Union, who claim the course and the mouth of the Mississippi as belonging to the United States. It is theirs by a transfer of truly imperial origin and magnitude; theirs by a sixty years' title; theirs by occupation and settlement; theirs by the law of Nature and of God. Louisiana, a fragment of this colonial empire, detached from its main portion and first organized as a state, undertakes to secede from the Union, and thinks by so doing that she will be allowed by the government and people of the United States to revoke this imperial transfer, to disregard this possession and occupation of sixty years, to repeal this law of nature

and of God; and she fondly believes that ten millions of the free people of the Union will allow her and her seceding brethren to open and shut the portals of this mighty region at their pleasure. They may do so, and the swarming millions which throng the course of these noble streams and their tributaries may consent to navigate them by suffrance from Montgomery and Richmond; but, if I may repeat the words which I have lately used on another occasion, it will be when the Alleghanies and the Rocky Mountains, which form the eastern and western walls of the imperial valley, shall sink to the level of the sea, and the Mississippi and the Missouri shall flow back to their fountains.

Such, fellow-citizens, as I contemplate them, are the great issues before the country, nothing less, in a word, than whether the work of our noble fathers of the revolutionary and constitutional age shall perish or endure; whether this great experiment in national polity, which binds a family of free republics in one united government—the most hopeful plan for combining the homebred blessings of a small state with the stability and power of great empire—shall be treacherously and shamefully stricken down, in the moment of its most successful operation, or whether it shall be bravely, patriotically, triumphantly maintained. We wage no war of conquest and subjugation; we aim at nothing but to protect our loyal fellow-citizens, who, against fearful odds, are fighting the battles of the Union in the disaffected states, and to re-establish, not for ourselves alone, but for our misguided brethren, the mild sway of the constitution and the laws. The result cannot be doubted. Twenty millions of freemen, forgetting their divisions, are rallying as one man in support of the righteous cause—their willing hearts and their strong hands, their fortunes and their lives, are laid upon the altar of the country. We contend for the great inheritance of constitutional freedom transmitted from our revolutionary fathers. We engage in the struggle forced upon us, with sorrow, as against our misguided brethren, but with high heart and faith, as we war for that Union which our sainted Washington commended to our dearest affections. The sympathy of the civilized world is on our side, and will join us in prayers to Heaven for the success of our arms.

THE FALLACY OF NEUTRALITY.

AN ADDRESS

BY THE

HON. JOSEPH HOLT,

TO THE PEOPLE OF KENTUCKY,

DELIVERED AT LOUISVILLE, JULY 13TH, 1861;

ALSO

HIS LETTER TO J. F. SPEED, ESQ.

NEW YORK:

JAMES G. GREGORY,

(SUCCESSOR TO W. A. TOWNSEND & CO.,)

NO. 46 WALKER STREET.

1861.

C A. ALVORD, PRINTER.

ADDRESS OF HON. JOSEPH HOLT.

Mr. HOLT was next introduced to the audience by Hon. HENRY PIRTLE, who addressed him a few words of welcome.

Then taking the stand, amid prolonged cheers, Mr. HOLT spoke as follows:—

JUDGE PIRTLE: I beg you to be assured that I am most thankful for this distinguished and flattering welcome, and for every one of the kind words which have just fallen from your lips, as I am for the hearty response they have received. Spoken by anybody and anywhere, these words would have been cherished by me; but spoken by yourself and in the presence and on behalf of those in whose midst I commenced the battle of life, whose friendship I have ever labored to deserve, and in whose fortunes I have ever felt the liveliest sympathy, they are doubly grateful to my feelings. I take no credit to myself for loving and being faithful to such a government as this, or for uttering, as I do, with every throb of my existence, a prayer for its preservation. In regard to my official conduct, to which you have alluded with such earnest and generous commendation, I must say that no merit can be accorded to me beyond that of having humbly but sincerely struggled to perform a public duty, amid embarrassments which the world can never fully know. In reviewing what is past, I have and shall ever have a bitter sorrow, that, while I was enabled to accomplish so little in behalf of our betrayed and suffering country, others were enabled to accomplish so much against it. You do me exceeding honor in associating me in your remembrance with the hero of Fort Sumter. There is about his name an atmosphere of light that can never grow dim. Surrounded with his little band, by batteries of treason and by infuriated thousands of traitors, the fires upon the altar of patriotism at which he ministered, only waxed the brighter for the gloom that enveloped him, and history will never forget that it was from these fires that was kindled that conflagration that now blazes throughout the length and breadth of the land. Brave among the bravest, incorruptible and unconquerable in his loyalty, amid all the perplexities and trials and sore humiliations that beset him, he well deserves that exalted position in the affections and confidence of

the people that he now enjoys; and while none have had better opportunities of knowing this than myself, so I am sure that none could have a prouder joy in bearing testimony to it than I have to-night.

FELLOW-CITIZENS: A few weeks since, in another form, I ventured freely to express my views upon those tragic events which have brought sorrow to every hearthstone and to every heart in our distracted country, and it is not my purpose on this occasion to repeat those views, or to engage in any extended discussion of the questions then examined. It is not necessary that I should do so, since the argument is exhausted, and the popular mind is perfectly familiar with it in all its bearings. I will, however, with your permission, submit a few brief observations upon the absorbing topics of the day, and if I do so with an earnestness and emphasis due alike to the sincerity of my convictions and to the magnitude of the interests involved, it is trusted that none will be offended, not even those who may most widely differ from me.

Could one, an entire stranger to our history, now look down upon the South, and see there a hundred or a hundred and fifty thousand men marching in hostile array, threatening the capture of the capital and the dismemberment of the territory of the republic; and could he look again and see that this army is marshalled and directed by officers recently occupying distinguished places in the civil and military service of the country; and further that the states from which this army has been drawn appear to be one vast, seething cauldron of ferocious passion, he would very naturally conclude that the government of the United States had committed some great crime against its people, and that this uprising was in resistance to wrong and outrages which had been borne until endurance was no longer possible. And yet no conclusion could be further from the truth than this. The government of the United States has been faithful to all its constitutional obligations. For eighty years it has maintained the national honor at home and abroad, and by its prowess, its wisdom, and its justice, has given to the title of an American citizen an elevation among the nations of the earth which the citizens of no republic has enjoyed since Rome was mistress of the world. Under its administration the national domain has stretched away to the Pacific, and that constellation which announced our birth as a people, has expanded from thirteen to thirty-four stars, all, until recently, moving undisturbed and undimmed in their orbs of light and grandeur. The rights of no states have been invaded; no man's property has been despoiled, no man's liberty abridged, no man's life oppressively jeopardized by the action of this government. Under its benign influences the rills of public and private prosperity have swelled into rivulets, and from rivulets into rivers ever brimming in their fullness, and everywhere, and at all periods of its history, its ministrations have fallen as gently on the people of the United States as do the dews of a Summer's night on the flowers and grass of the gardens and fields.

Whence, then, this revolutionary outbreak? Whence the secret spring of this gigantic conspiracy, which, like some huge boa, had completely coiled itself around the limbs and body of the republic, before a single hand was lifted to resist it? Strange, and indeed startling, as the announcement must appear when it falls on the ears of the next generation, the national tragedy, in whose shadow we stand to-night, has come upon us because, in November last, JOHN C. BRECKINRIDGE was not elected President of the United States, and ABRAHAM LINCOLN was. This is the whole story. And I would pray now to know on what was JOHN C. BRECKINRIDGE fed that he has grown so great, that a republic founded by WASHINGTON and cemented by the best blood that has ever coursed in human veins, is to be overthrown because, forsooth, he cannot be its President? Had he been chosen we well know that we should not have heard of this rebellion, for the lever with which it is being moved would have been wanting to the hands of the conspirators. Even after his defeat, could it have been guaranteed, beyond all peradventure, that JEFF. DAVIS, or some other kindred spirit, would be the successor of Mr. LINCOLN, I presume we hazard nothing in assuming that this atrocious movement against the government would not have been set on foot. So much for the principle involved in it. This great crime, then, with which we are grappling, sprang from that "sin by which the angels fell"—an unmastered and profligate ambition—an ambition that "would rather reign in hell than serve in heaven"—that would rather rule supremely over a shattered fragment of the republic than run the chances of sharing with others the honors of the whole.

The conspirators of the South read in the election of Mr. LINCOLN a declaration that the Democratic party had been prostrated, if not finally destroyed, by the selfish intrigues and corruptions of its leaders; they read, too, that the vicious, emaciated, and spavined hobby of the slavery agitation, on which they had so often rode into power, could no longer carry them beyond a given geographical line of our territory, and that in truth this factious and treasonable agitation, on which so many of them had grown great by debauching and denationalizing the mind of a people naturally generous and patriotic, had run its course, and hence, that from the national disgust for this demagoguing, and for the inexorable law of population, the time had come when all those who had no other political capital than this, would have to prepare for retirement to private life, so far at least as the highest offices of the country were concerned. Under the influence of these grim discouragements they resolved to consummate at once—what our political history shows to have been a long-cherished purpose—the dismemberment of the government. They said to themselves: "Since we can no longer monopolize the great offices of the republic as we have been accustomed to do, we will destroy it and build upon its ruins an empire that shall be all our own, and whose spoils neither the North nor the East nor the West shall share

with us." Deplorable and humiliating as this certainly is, it is but a rehearsal of the sad, sad story of the past. We had, indeed, supposed that under our Christian civilization we had reached a point in human progress, when a republic could exist without having its life sought by its own offspring; but the Catilines of the South have proved that we were mistaken. Let no man imagine that because this rebellion has been made by men renowned in our civil and military history, that it is, therefore, the less guilty or the less courageously to be resisted. It is precisely this class of men who have subverted the best governments that have ever existed. The purest spirits that have lived in the tide of times, the noblest institutions that have arisen to bless our race, have found among those in whom they had most confided, and whom they had most honored, men wicked enough, either secretly to betray them unto death, or openly to seek their overthrow by lawless violence. The republic of England had its Monk; the republic of France had its BONAPARTE; the republic of Rome had its CÆSAR and its CATILINE, and the Saviour of the world had his Judas Iscariot. It cannot be necessary that I should declare to you, for you know them well, who they are whose parricidal swords are now unsheathed against the republic of the United States. Their names are inscribed upon a scroll of infamy that can never perish. The most distinguished of them were educated by the charity of the government on which they are now making war. For long years they were fed from its table, and clothed from its wardrobe, and had their brows garlanded by its honors. They are the ungrateful sons of a fond mother, who dandled them upon her knee, who lavished upon them the gushing love of her noble and devoted nature, and who nurtured them from the very bosom of her life; and now, in the frenzied excesses of a licentious and baffled ambition, they are stabbing at that bosom with the ferocity with which the tiger springs upon his prey. The President of the United States is heroically and patriotically struggling to baffle the machinations of these most wicked men. I have unbounded gratification in knowing that he has the courage to look traitors in the face, and that, in discharging the duties of his great office, he takes no counsel of his fears. He is entitled to the zealous support of the whole country, and, may I not add without offence, that he will receive the support of all who justly appreciate the boundless blessings of our free institutions?

If this rebellion succeeds it will involve necessarily the destruction of our nationality, the division of our territory, the permanent disruption of the republic. It must rapidly dry up the sources of our material prosperity, and year by year we shall grow more and more impoverished, more and more revolutionary, enfeebled, and debased. Each returning election will bring with it grounds for new civil commotions, and traitors, prepared to strike at the country that has rejected their claims to power, will spring up on every side. Disunion once begun will go on and on indefinitely, and under the in-

fluence of the fatal doctrine of secession, not only will states secede from states, but counties will secede from states also, and towns and cities from counties, until universal anarchy will be consummated in each individual who can make good his position by force of arms, claiming the right to defy the power of the government. Thus we should have brought back to us the days of the robber barons with their moated castles and marauding retainers. This doctrine when analyzed is simply a declaration that no physical force shall ever be employed in executing the laws or upholding the government, and a government into whose practical administration such a principle has been introduced, could no more continue to exist than a man could live with an angered cobra in his bosom. If you would know what are the legitimate fruits of secession, look at Virginia and Tennessee, which have so lately given themselves up to the embrace of this monster. There the schools are deserted; the courts of justice closed; public and private credit destroyed; commerce annihilated, debts repudiated; confiscations and spoiliations everywhere prevailing; every cheek blanched with fear, and every heart frozen with despair; and all over that desolated land the hand of infuriated passion and crime is waving, with a vulture's scream for blood, the sword of civil war. And this is the Pandemonium which some would have transferred to Kentucky. *

But I am not here to discuss this proposition to-night. I wish solemnly to declare before you and the world, that I am for this Union without conditions, one and indivisible, now and forever. I am for its preservation at any and every cost of blood and treasure against all its assailants. I know no neutrality between my country and its foes, whether they be foreign or domestic; no neutrality between that glorious flag which now floats over us, and the ingrates and traitors who would trample it in the dust. My prayer is for victory, complete, enduring and overwhelming, to the armies of the republic over all its enemies. I am against any and every compromise that may be proposed to be made under the guns of the rebels, while, at the same time, I am decidedly in favor of affording every reasonable guarantee for the safety of Southern institutions, which the honest convictions of the people—not the conspirators—of the South may demand, *whenever they shall lay down their arms, but not until then*. The arbitrament of the sword has been defiantly thrust into the face of the government and country, and there is no honorable escape from it. All guarantees and all attempts at adjustment by amendments to the constitution are now scornfully rejected, and the leaders of the rebellion openly proclaim that they are fighting for their independence. In this contemptuous rejection of guarantees, and in this avowal of the objects of the rebellion now so audaciously made, we have a complete exposure of that fraud which, through the slavery agitation, has been practised upon the public credulity for the last fifteen or twenty years. In the light of this revelation, we feel as one awakened from the suffocating

tortures of a nightmare, and realize what a baseless dream our apprehensions have been, and of what a traitorous swindle we have been made the victims. They are fighting for their independence! Independence of what? Independence of those laws which they themselves have aided in enacting; independence of that constitution which their fathers framed and to which they are parties and subject by inheritance; independence of that beneficent government on whose treasury and honors they have grown strong and illustrious. When a man commits a robbery on the highway, or a murder in the dark, he thereby declares his independence of the laws under which he lives, and of the society of which he is a member. Should he, when arraigned, avow and justify the offence, he thereby becomes the advocate of the independence he has thus declared; and, if he resists by force of arms the officer, when dragging him to the prison, the penitentiary, or the gallows, he is thereby fighting for the independence he has thus declared and advocated; and such is the condition of the conspirators of the South at this moment. It is no longer a question of Southern rights, which have never been violated, nor of security of Southern institutions, which we know perfectly well have never been interfered with by the general government, but it is purely with us a question of national existence. In meeting this terrible issue which rebellion has made up with the loyal men of the country, we stand upon ground infinitely above all party lines and party platforms—ground as sublime as that on which our fathers stood when they fought the battles of the revolution. I am for throwing into the contest thus forced upon us all the material and moral resources and energies of the nation, in order that the struggle may be brief and as little sanguinary as possible. It is hoped that we shall soon see in the field half a million of patriotic volunteers, marching in columns which will be perfectly irresistible, and, borne in their hands—for no purpose of conquest or subjugation, but of protection only—we may expect within nine months to see the stars and stripes floating in every Southern breeze, and hear going up, wild as the storm, the exultant shout of that emancipated people over their deliverance from the revolutionary terror and despotism, by which they are now tormented and oppressed. The war, conducted on such a scale, will not cost exceeding four or five hundred millions of dollars; and none need be startled at the vastness of this expenditure. The debt thus created will press but slightly upon us; it will be paid and gladly paid by posterity, who will make the best bargain which has been made since the world began, if they can secure to themselves, in its integrity and blessings, such a government as this, at such a cost. But, if in this anticipation we are doomed to disappointment; if the people of the United States have already become so degenerate—may I not say so craven—in the presence of their foes as to surrender up this republic to be dismembered and subverted by the traitors who have reared the standard of revolt against it, then, I trust, the volume of Ameri-

can history will be closed and sealed up forever, and that those who shall survive this national humiliation will take unto themselves some other name,—some name having no relation to the past, no relation to our great ancestors, no relation to those monuments and battle-fields which commemorate alike their heroism, their loyalty, and their glory.

But with the curled lip of scorn we are told by the disunionists that in thus supporting a Republican administration in its endeavors to uphold the constitution and the laws, we are "submissionists," and when they have pronounced this word, they suppose they have imputed to us the sum of all human abasement. Well, let it be confessed; we are "submissionists," and weak and spiritless as it may be deemed by some, we glory in the position we occupy. For example: the law says, "Thou shalt not steal;" we submit to this law, and would not for the world's worth rob our neighbor of his ferts, his arsenals, his arms, his munitions of war, his hospital stores, or any thing that is his. Indeed, so impressed are we with the obligations of this law, that we would no more think of plundering from our neighbor half a million of dollars because found in his unprotected mints, than we would think of filching a purse from his pocket in a crowded thoroughfare. Write us down, therefore, "submissionists." Again: the law says, "Thou shalt not swear falsely;" we submit to this law, and while in the civil or military service of the country, with an oath to support the constitution of the United States resting upon our consciences, we would not for any earthly consideration engage in the formation or execution of a conspiracy to subvert that very constitution, and with it the government to which it has given birth. Write us down, therefore, again, "submissionists." Yet again: when a President has been elected in strict accordance with the form and spirit of the constitution, and has been regularly installed into office, and is honestly striving to discharge his duty by snatching the republic from the jaws of a gigantic treason which threatens to crush it, we care not what his name may or may not be, or what the designation of his political party, or what the platform on which he stood during the presidential canvass; we believe we fulfil in the sight of earth and heaven our highest obligations to our country, in giving to him an earnest and loyal support in the struggle in which he is engaged.

Nor are we at all disturbed by the flippant taunt that in thus submitting to the authority of our government we are necessarily cowards. We know whence this taunt comes, and we estimate it at its true value. We hold that there is a higher courage in the performance of duty than in the commission of crime. The tiger of the jungle and the cannibal of the South Sea Islands have that courage in which the revolutionists of the day make their especial boast; the angels of God and the spirits of just men made perfect have had, and have that courage which submits to the laws. Lucifer was a non-submissionist, and the first secessionist of whom history has given us any

account, and the chains which he wears fitly, express the fate due to all who openly defy the laws of their Creator and of their country. He rebelled because the Almighty would not yield to him the throne of heaven. The principle of the Southern rebellion is the same. Indeed, in this submission to the laws is found the chief distinction between good men and devils. A good man obeys the laws of truth, of honesty, of morality, and all those laws which have been enacted by competent authority for the government and protection of the country in which he lives; a devil obeys only his own ferocious and profligate passions. The principle on which this rebellion proceeds, that laws have in themselves no sanctions, no binding force upon the conscience, and that every man, under the promptings of interest, or passion, or caprice, may, at will, and honorably too, strike at the government that shelters him, is one of utter demoralization, and should be trodden out as you would tread on a spark that has fallen on the roof of your dwelling. Its unchecked prevalence would resolve society into chaos, and leave you without the slightest guarantee for life, liberty, or property. It is time that, in their majesty, the people of the United States should make known to the world that this government, in its dignity and power, is something more than a moot court, and that the citizen who makes war upon it is a traitor, not only in theory but in fact, and should have meted out to him a traitor's doom. The country wants no bloody sacrifice, but it must and will have peace, cost what it may.

Before closing, I desire to say a few words on the relations of Kentucky to the pending rebellion; and as we are all Kentuckians here together to-night, and as this is purely a family matter, which concerns the honor of us all, I hope we may be permitted to speak to each other upon it with entire freedom. I shall not detain you with observations on the hostile and defiant position assumed by the governor of your state. In his reply to the requisition made upon him for volunteers under the proclamation of the President, he has, in my judgment, written and finished his own history, his epitaph included, and it is probable that in future the world will little concern itself as to what his excellency may propose to do, or as to what he may propose not to do. That response has made for Kentucky a record that has already brought a burning blush to the cheek of many of her sons, and is destined to bring it to the cheek of many more in the years which are to come. It is a shame, indeed a crying shame, that a state with so illustrious a past should have written for her, by her own chief magistrate, a page of history so utterly humiliating as this. But your legislature have determined that during the present unhappy war the attitude of the state shall be that of strict neutrality, and it is upon this determination that I wish respectfully but frankly to comment. As the motives which governed the legislature were doubtless patriotic and conservative, the conclusion arrived at cannot be condemned as dishonorable; still, in view of the manifest duty of the state and

of possible results, I cannot but regard it as mistaken and false, and one which may have fatal consequences. Strictly and legally speaking, Kentucky must go out of the Union before she can be neutral. Within it she is necessarily either faithful to the government of the United States, or she is disloyal to it. If this crutch of neutrality, upon which her well-meaning but ill-judging politicians are halting, can find any middle ground on which to rest, it has escaped my researches, though I have diligently sought it. Neutrality, in the sense of those who now use the term, however patriotically designed, is, in effect, but a snake in the grass of rebellion, and those who handle it will sooner or later feel its fangs. Said one who spake as never man spake, "He who is not with us is against us;" and of none of the conflicts which have arisen between men or between nations, could this be more truthfully said than of that in which we are now involved. Neutrality necessarily implies indifference. Is Kentucky indifferent to the issue of this contest? Has she, indeed, nothing at stake? Has she no compact with her sister states to keep, no plighted faith to uphold, no renown to sustain, no glory to win? Has she no horror of that crime of crimes now being committed against us by that stupendous rebellion which has arisen like a tempest-cloud in the South? We rejoice to know that she is still a member of this Union, and as such she has the same interest in resisting this rebellion that each limb of the body has in resisting a poignard whose point is aimed at the heart. It is her house that is on fire; has she no interest in extinguishing the conflagration? Will she stand aloof and announce herself neutral between the raging flames and the brave men who are periling their lives to subdue them? Hundreds of thousands of citizens of other states—men of culture and character, of thought and of toil—men who have a deep stake in life, and an intense appreciation of its duties and responsibilities, who know the worth of this blessed government of ours, and do not prize even their own blood above it—I say, hundreds of thousands of such men have left their homes, their workshops, their offices, their counting-houses, and their fields, and are now rallying about our flag, freely offering their all to sustain it, and since the days that crusading Europe threw its hosts upon the embattled plains of Asia, no deeper, or more earnest, or grander spirit has stirred the souls of men than that which now sways those mighty masses whose gleaming banners are destined ere long to make bright again the earth and sky of the distracted South. Can Kentucky look upon this sublime spectacle of patriotism unmoved, and then say to herself: "I will spend neither blood nor treasure, but I will shrink away while the battle rages, and after it has been fought and won, I will return to the camp, well assured that if I cannot claim the laurels, I will at least enjoy the blessings of the victory?" Is this all that remains of her chivalry—of the chivalry of the land of the Shelbys, the Johnsons, the Allens, the Clays, the Adairs, and the Davises? Is there a Kentuckian within the sound of my voice to-night, who

can hear the anguished cry of his country as she wrestles and writhes in the folds of this gigantic treason, and then lay himself down upon his pillow with this thought of neutrality, without feeling that he has something in his bosom which stings him worse than would an adder? Have we, within the brief period of eighty years, descended so far from the mountain heights on which our fathers stood, that already, in our degeneracy, we proclaim our blood too precious, our treasure too valuable to be devoted to the preservation of such a government as this? They fought through a seven years' war, with the greatest power on earth, for the hope, the bare hope, of being able to found this republic, and now that it is no longer a hope nor an experiment, but a glorious reality, which has excited the admiration and the homage of the nations, and has covered us with blessings as "the waters cover the channels of the sea," have we, their children, no years of toil, of sacrifice, and of battle even, if need be, to give, to save it from absolute destruction at the hands of men who, steeped in guilt, are perpetrating against us and humanity a crime, for which I verily believe the blackest page of the history of the world's darkest period furnishes no parallel? Can it be possible that in the history of the American people we have already reached a point of degeneracy so low, that the work of WASHINGTON and FRANKLIN, of ADAMS and JEFFERSON, of HANCOCK and HENRY, is to be overthrown by the morally begrimed and pigmied conspirators who are now tugging at its foundations? It would be the overturning of the Andes by the miserable reptiles that are crawling in the sands at their base.

But our neutral fellow-citizens in the tenderness of their hearts say: "This effusion of blood sickens us." Then do all in your power to bring it to an end. Let the whole strength of this commonwealth be put forth in support of the government, in order that the war may be terminated by a prompt suppression of the rebellion. The longer the struggle continues, the fiercer will be its spirit, and the more fearful the waste of life attending it. You therefore only aggravate the calamity you deplore by standing aloof from the combat. But again they say, "we cannot fight our brethren." Indeed. But your brethren can fight you, and with a good will, too. Wickedly and wantonly have they commenced this war against you and your institutions, and ferociously are they prosecuting it. They take no account of the fact that the massacre with which they hope their swords will, ere long, be clogged, must be the massacre of their brethren. However much we may bow our heads at the confession, it is nevertheless true that every free people that have existed have been obliged, at one period or other of their history, to fight for their liberties against traitors within their own bosoms, and that people who have not the greatness of soul thus to fight, cannot long continue to be free, nor do they deserve to be so.

There is not, and there cannot be, any neutral ground for a loyal people between their own government and those who, at the head of armies, are

menacing its destruction. Your inaction is not neutrality, though you may delude yourselves with the belief that it is so. With this rebellion confronting you, when you refuse to co-operate actively with your government in subduing it, you thereby condemn the government, and assume towards it an attitude of antagonism. Your inaction is a virtual indorsement of the rebellion, and if you do not thereby give to the rebels precisely that "aid and comfort" spoken of in the constitution, you certainly afford them a most powerful encouragement and support. That they regard your present position as friendly to them, is proved by the fact that, in a recent enactment of the Confederate Congress confiscating the debts due from their own citizens to those of loyal states, the debts due to the people of Kentucky are expressly excepted. Is not this significant? Does it leave any room for doubt that the Confederate Congress suppose they have discovered, under the guise of your neutrality, a lurking sympathy for their cause which entitles you to be treated as friends, if not as active allies? Patriotic as was the purpose of her apprehensive statesmen in placing her in the anomalous position she now occupies, it cannot be denied that Kentucky by her present attitude is exerting a potent influence in strengthening the rebellion, and is, therefore, false alike to her loyalty and to her fame. You may rest well assured that this estimate of your neutrality is entertained by the true men of the country in all the states which are now sustaining the government. Within the last few weeks how many of those gallant volunteers who have left home and kindred and all that is dear to them, and are now under a Southern sun, exposing themselves to death from disease and to death from battle, and are accounting their lives as nothing in the effort they are making for the deliverance of your government and theirs; how many of them have said to me in sadness and in longing, "Will not Kentucky help me?" How my soul would have leaped could I have answered promptly, confidently, exultingly, "Yes, she will." But when I thought of this neutrality my heart sank within me, and I did not and I could not look those brave men in the face. And yet I could not answer, "No." I could not crush myself to the earth under the self-abasement of such a reply. I therefore said—and may my country sustain me—"I hope, I trust, I pray, nay, I believe Kentucky will yet do her duty."

If this government is to be destroyed, ask yourselves are you willing it shall be recorded in history that Kentucky stood by in the greatness of her strength and lifted not a hand to stay the catastrophe? If it is to be saved, as I verily believe it is, are you willing it shall be written that, in the immeasurable glory which must attend the achievement, Kentucky had no part?

I will only add, if Kentucky wishes the waters of her beautiful Ohio to be dyed in blood—if she wishes her harvest fields, now waving in their abundance, to be trampled beneath the feet of hostile soldiery, as a flower-garden is trampled beneath the threshings of the tempest—if she wishes the homes where her loved ones are now gathered in peace, invaded by the proscriptive

fury of a military despotism, sparing neither life nor property—if she wishes the streets of her towns and cities grown with grass, and the steamboats of her rivers to lie rotting at her wharves, then let her join the Southern Confederacy; but if she would have the bright waters of that river flow on in their gladness—if she would have her harvests peacefully gathered to her garner—if she would have the lullabies of her cradles and the songs of her homes uninvaded by the cries and terrors of battle—if she would have the streets of her towns and cities again filled with the hum and throngs of busy trade, and her rivers and her shores once more vocal with the steamer's whistle, that anthem of a free and prosperous commerce, then let her stand fast by the stars and stripes, and do her duty and her whole duty as a member of this Union. Let her brave people say to the President of the United States: "You are our chief magistrate; the government you have in charge, and are striving to save from dishonor and dismemberment, is our government; your cause is indeed our cause; your battles are our battles; make room for us, therefore, in the ranks of your armies, that your triumph may be our triumph also."

Even as with the Father of us all I would plead for salvation, so, my countrymen, as upon my very knees, would I plead with you for the life, aye for the life, of our great and beneficent institutions. But if the traitor's knife, now at the throat of the republic, is to do its work, and this government is fated to add yet another to that long line of sepulchres which whiten the highway of the past, then my heartfelt prayer to God is, that it may be written in history, that the blood of its life was not found upon the skirts of Kentucky.

LETTER OF HON. JOSEPH HOLT.

WASHINGTON, *Friday, May 31, 1861.*

J. F. SPEED, Esq.

My Dear Sir: The recent overwhelming vote in favor of the Union in Kentucky has afforded unspeakable gratification to all true men throughout the country. That vote indicates that the people of that gallant state have been neither seduced by the arts nor terrified by the menaces of the revolutionists in their midst, and that it is their fixed purpose to remain faithful to a government which, for nearly seventy years, has remained faithful to them. Still it cannot be denied that there is in the bosom of that state a band of agitators, who, though few in number, are yet powerful from the public confidence they have enjoyed, and who have been, and doubtless will continue to be, unceasing in their endeavor to force Kentucky to unite her fortunes with those of the rebel Confederacy of the South. In view of this and of the well-known fact that several of the seceded states have by fraud and violence been driven to occupy their present false and fatal position, I cannot, even with the encouragement of her late vote before me, look upon the political future of our native state without a painful solicitude. Never have the safety and honor of her people required the exercise of so much vigilance and of so much courage on their part. If true to themselves, the stars and stripes, which, like angel's wings, have so long guarded their homes from every oppression, will still be theirs; but if, chasing the dreams of men's ambition, they shall prove false, the blackness of darkness can but faintly predict the gloom that awaits them. The legislature, it seems, has determined by resolution that the state, pending the present unhappy war, shall occupy neutral ground. *I must say, in all frankness, and without desiring to reflect upon the course or sentiments of any, that, in this struggle for the existence of our government, I can neither practise nor profess nor feel neutrality. I would as soon think of being neutral in a contest between an officer of justice and an incendiary arrested in an attempt to fire the dwelling over my head; for the government whose overthrow is sought, is for me the shelter not only of home, kindred and friends, but of every earthly blessing which I can hope to enjoy on*

this side of the grave. If, however, from a natural horror of fratricidal strife, or from her intimate social and business relations with the South, Kentucky shall determine to maintain the neutral attitude assumed for her by her legislature, her position will still be an honorable one, though falling far short of that full measure of loyalty which her history has so constantly illustrated. Her executive, ignoring, as I am happy to believe, alike the popular and legislative sentiment of the state, has, by proclamation, forbidden the government of the United States from marching troops across her territory. This is in no sense a neutral step, but one of aggressive hostility. The troops of the Federal Government have as clear a constitutional right to pass over the soil of Kentucky as they have to march along the streets of Washington; and could this prohibition be effective, it would not only be a violation of the fundamental law, but would, in all its tendencies, be directly in advancement of the revolution, and might, in an emergency easily imagined, compromise the highest national interests. I was rejoiced that the legislature so promptly refused to endorse this proclamation as expressive of the true policy of the state. But I turn away from even this to the ballot-box, and find an abounding consolation in the conviction it inspires, that the popular heart of Kentucky, in its devotion to the Union, is far in advance alike of legislative resolve and executive proclamation.

But as it is well understood that the late popular demonstration has rather scotched than killed rebellion in Kentucky, I propose inquiring, as briefly as practicable, whether in the recent action or present declared policy of the administration, or in the history of the pending revolution, or in the objects it seeks to accomplish, or in the results which must follow from it, if successful, there can be discovered any reasons why that state should sever the ties that unite her with a Confederacy in whose councils and upon whose battle-fields she has won so much fame, and under whose protection she has enjoyed so much prosperity.

For more than a month after the inauguration of President LINCOLN, the manifestations seemed unequivocal that his administration would seek a peaceful solution of our unhappy political troubles, and would look to time and amendments of the Federal Constitution, adopted in accordance with its provisions, to bring back the revolted states to their allegiance. So marked was the effect of these manifestations in tranquilizing the border states and in reassuring their loyalty, that the conspirators who had set this revolution on foot took the alarm. *While affecting to despise these states as not sufficiently intensified in their devotion to African servitude, they knew they could never succeed in their treasonable enterprise without their support. Hence it was resolved to precipitate a collision of arms with the federal authorities, in the hope that under the panic and exasperation incident to the commencement of a civil war, the border states, following the natural bent of their sympathies, would array themselves against the government.* Fort Sumter, occupied by a

feeble garrison, and girdled by powerful if not impregnable batteries, afforded convenient means for accomplishing their purpose, and for testing also their theory, that blood was needed to cement the new Confederacy. Its provisions were exhausted, and the request made by the President, in the interests of peace and humanity, for the privilege of replenishing its stores, had been refused. The Confederate authorities were aware—for so the gallant commander of the fort had declared to them—that in two days a capitulation from starvation must take place. A peaceful surrender, however, would not have subserved their aims. They sought the clash of arms and the effusion of blood as an instrumentality for impressing the border states, and they sought the humiliation of the government and the dishonor of its flag as a means of giving prestige to their own cause. The result is known. Without the slightest provocation, a heavy cannonade was opened upon the fort, and borne by its helpless garrison for hours without reply; and when, in the progress of the bombardment, the fortification became wrapped in flames, the besieging batteries, in violation of the usages of civilized warfare, instead of relaxing or suspending, redoubled their fires. *A more wanton or wicked war was never commenced on any government whose history has been written.* Contemporary with and following the fall of Sumter, the siege of Fort Pickens was and still is actively pressed; the property of the United States government continued to be seized wherever found, and its troops, by fraud or force, captured in the state of Texas, in violation of a solemn compact with its authorities that they should be permitted to embark without molestation. This was the requital which the Lone Star State made to brave men, who, through long years of peril and privation, had guarded its frontiers against the incursions of the savages. In the midst of the most active and extended warlike preparations in the South, the announcement was made by the Secretary of War of the seceded states, and echoed with taunts and insolent bravadoes by the Southern press, that Washington City was to be invaded and captured, and that the flag of the Confederate States would soon float over the dome of its Capitol. Soon thereafter there followed an invitation to all the world—embracing necessarily the outcasts and desperadoes of every sea—to accept letters of marque and reprisal, to prey upon the rich and unprotected commerce of the United States.

In view of these events and threatenings, what was the duty of the chief magistrate of the republic? He might have taken counsel of the revolutionists and trembled under their menaces; he might, upon the fall of Sumter, have directed that Fort Pickens should be surrendered without firing a gun in its defence, and proceeding yet further, and meeting fully the requirements of the "let us alone" policy insisted on in the South, he might have ordered that the stars and stripes should be laid in the dust in the presence of every bit of rebel bunting that might appear. *But he did none of these things, nor could he have done them without forfeiting his oath and betraying the most sublime trust*

that has ever been confided to the hands of man. With a heroic fidelity to his constitutional obligations, feeling justly that these obligations charged him with the protection of the republic and its capital against the assaults alike of foreign and domestic enemies, he threw himself on the loyalty of the country for support in the struggle upon which he was about to enter, and nobly has that appeal been responded to. States containing an aggregate population of nineteen millions have answered to the appeal as with the voice of one man, offering soldiers without number, and treasure without limitation for the service of the government. In these states, fifteen hundred thousand freemen cast their votes in favor of candidates supporting the rights of the South, at the last presidential election, and yet everywhere, alike in popular assemblies and upon the tented field, this million and a half of voters are found yielding to none in the zeal with which they rally to their country's flag. They are not less the friends of the South than before; but they realize that the question now presented is not one of administrative policy, or of the claims of the North, the South, the East, or the West; but is, simply, whether nineteen millions of people shall tamely and ignobly permit five or six millions to overthrow and destroy institutions which are the common property, and have been the common blessings and glory of all. The great thoroughfares of the North, the East, and the West, are luminous with the banners and glistening with the bayonets of citizen soldiers marching to the capital, or to the other points of rendezvous; but they come in no hostile spirit to the South. *If called to press her soil, they will not ruffle a flower of her gardens, nor a blade of grass of her fields in unkindness. No excesses will mark the footsteps of the armies of the republic; no institution of the states will be invaded or tampered with, no rights of persons or of property will be violated. The known purposes of the administration, and the high character of the troops employed, alike guarantee the truthfulness of this statement.* When an insurrection was apprehended a few weeks since in Maryland, the Massachusetts regiment at once offered their services to suppress it. These volunteers have been denounced by the press of the South as "knaves and vagrants," "the dregs and offscourings of the populace," who would "rather filch a handkerchief than fight an enemy in manly combat;" yet we know here that their discipline and bearing are most admirable, and, I presume, it may be safely affirmed, that a larger amount of social position, culture, fortune, and elevation of character, has never been found in so large an army in any age or country. *If they go to the South, it will be as friends and protectors, to relieve the Union sentiment of the seceded states from the cruel domination by which it is oppressed and silenced, to unfurl the stars and stripes in the midst of those who long to look upon them, and to restore the flag that bears them to the forts and arsenals from which disloyal hands have torn it. Their mission will be one of peace, unless wicked and blood-thirsty men shall unsheath the sword across their pathway.*

It is in vain for the revolutionists to exclaim that this is "subjugation." It is

so, *precisely in the sense in which you and I and all law-abiding citizens are subjugated*. The people of the South are our brethren, and while we obey the laws enacted by our joint authority, and keep a compact to which we all are parties, we only ask that they shall be required to do the same. We believe that their safety demands this; we know that ours does. We impose no burden which we ourselves do not bear; we claim no privilege or blessing which our brethren of the South shall not equally share. Their country is our country, and ours is theirs; and that unity both of country and of government which the providence of God and the compacts of men have created, we could not ourselves, without self-immolation, destroy, nor can we permit it to be destroyed by others.

Equally vain is it for them to declare that they only wish "to be let alone," and that, in establishing the independence of the seceded states, they do those which remain in the old confederacy no harm. The free states, if allowed the opportunity of doing so, will undoubtedly concede every guarantee needed to afford complete protection to the institutions of the South, and to furnish assurances of her perfect equality in the Union; but all such guarantees and assurances are now openly spurned, and the only Southern right now insisted on is that of dismembering the republic. It is perfectly certain, that in the attempted exercise of this right, neither states nor statesmen will be "let alone." Should a ruffian meet me in the streets, and seek, with his axe, to hew an arm and a leg from my body, I would not the less resist him because, as a dishonored and helpless trunk, I might perchance survive the mutilation. It is easy to perceive what fatal results to the old confederacy would follow, should the blow now struck at its integrity ultimately triumph. We can well understand what degradation it would bring to it abroad, and what weakness at home; what exhaustion from incessant war and standing armies, and from the erection of fortifications along the thousands of miles of new frontiers; what embarrassments to commerce from having its natural channels encumbered or cut off; what elements of disintegration and revolution would be introduced from the pernicious example; and, above all, what humiliation would cover the whole American people for having failed in their great mission to demonstrate before the world the capacity of our race for self-government.

While a far more fearful responsibility has fallen upon President Lincoln than upon any of his predecessors, it must be admitted that he has met it with promptitude and fearlessness. CICERO, in one of his orations against CATILINE, speaking of the credit due himself for having suppressed the conspiracy of that arch-traitor, said, "If the glory of him who founded Rome was great, how much greater should be that of him who had saved it from overthrow, after it had grown to be mistress of the world!" So may it be said of the glory of that statesman or chieftain who shall snatch this republic from the vortex of revolution, now that it has expanded from ocean to

ocean—has become the admiration of the world, and has rendered the fountains of the lives of thirty millions of people fountains of happiness.

The vigorous measures adopted for the safety of Washington, and the government itself, may seem open to criticism, in some of their details, to those who have yet to learn that not only has war, like peace, its laws, but that it has also its privileges and its duties. Whatever of severity, or even of irregularity, may have arisen, will find its justification in the pressure of the terrible necessity under which the administration has been called to act. When a man feels the poignard of the destroyer at his bosom, he is not likely to consult the law books as to the mode or measure of his rights of self-defence. What is true of individuals is, in this respect, equally true of governments. *The man who thinks he has become disloyal because of what the administration has done, will probably discover, after a close examination, that he was disloyal before.* But for what has been done, Washington might ere this have been a smouldering heap of ruins.

They have noted the course of public affairs to little advantage who suppose that the election of LINCOLN was the real ground of the revolutionary outbreak that has occurred. The roots of the revolution may be traced back for more than a quarter of a century, and an unholy lust for power is the soil out of which it sprang. A prominent member of the band of agitators declared in one of his speeches at Charleston, last November or December, that they had been occupied for thirty years in the work of severing South Carolina from the Union. When General JACKSON crushed nullification, he said it would revive again under the form of the slavery agitation, and we have lived to see his prediction verified. Indeed, that agitation, during the last fifteen or twenty years, has been almost the entire stock-in-trade of Southern politicians. The Southern people, known to be as generous in their impulses as they are chivalric, were not wrought into a frenzy of passion by the intemperate words of a few fanatical abolitionists; for these words, if left to themselves, would have fallen to the ground as pebbles into the sea, and would have been heard of no more. But it was the echo of those words, repeated with exaggerations for the thousandth time by Southern politicians, in the halls of Congress, and in the deliberative and popular assemblies, and through the press of the South, that produced the exasperation which has proved so potent a lever in the hands of the conspirators. The cloud was fully charged, and the juggling revolutionists who held the wires, and could at will direct its lightnings, appeared at Charleston, broke up the Democratic convention assembled to nominate a candidate for the presidency, and thus secured the election of Mr. LINCOLN. Having thus rendered this certain, they at once set to work to bring the popular mind of the South to the point of determining in advance that the election of a Republican president would be, *per se*, cause for a dissolution of the Union. They were but too successful, and to this result the inaction and indecision of the bor-

der states deplorably contributed. When the election of Mr. LINCOLN was announced, there was rejoicing in the streets of Charleston, and doubtless at other points in the South; for it was believed by the conspirators that this had brought a tide in the current of their machinations which would bear them on to victory. The drama of secession was now open, and state after state rapidly rushed out of the Union, and their members withdrew from Congress. The revolution was pressed on with this hot haste in order that no time should be allowed for reaction in the Northern mind, or for any adjustment of the slavery issues by the action of Congress or of the state legislatures. Had the Southern members continued in their seats, a satisfactory compromise would, no doubt, have been arranged and passed before the adjournment of Congress. As it was, after their retirement, and after Congress had become republican, an amendment to the constitution was adopted by a two-thirds vote, declaring that Congress should never interfere with slavery in the states, and declaring, further, that this amendment should be irrevocable. Thus we falsified the clamor so long and so insidiously rung in the ears of the Southern people, that the abolition of slavery in the states was the ultimate aim of the Republican party. But even this amendment, and all others which may be needed to furnish the guarantees demanded, are now defeated by the secession of eleven states, which, claiming to be out of the Union, will refuse to vote upon, and, in effect, will vote against, any proposals to modify the federal constitution. There are now thirty-four states in the confederacy, three-fourths of which, being twenty-six, must concur in the adoption of any amendment before it can become a part of the constitution; but the secession of eleven states leaves but twenty-three whose vote can possibly be secured, which is less than the constitutional number.

Thus we have the extraordinary and discreditable spectacle of a revolution made by certain states, professedly on the ground that guarantees for the safety of their institutions are denied them, and, at the same time, instead of co-operating with their sister states in obtaining these guarantees, they designedly assume a hostile attitude, and thereby render it constitutionally impossible to secure them. This profound dissimulation shows that it was not the safety of the South, but its severance from the confederacy, which was sought from the beginning. Contemporaneous with, and in some cases preceding, these acts of secession, the greatest outrages were committed upon the government of the United States by the states engaged in them. Its forts, arsenals, arms, barracks, custom-houses, post-offices, moneys, and, indeed, every species of its property within the limits of these states, were seized and appropriated, down to the very hospital stores for the sick soldiers. More than half a million of dollars was plundered from the mint at New Orleans. United States vessels were received from the defiled hands of their officers in command, and, as if in the hope of consecrating official

treachery as one of the public virtues of the age, the surrender of an entire military department by a general, to the keeping of whose honor it had been confided, was deemed worthy of the commendation and thanks of the conventions of several states. All these lawless proceedings were well understood to have been prompted and directed by men occupying seats in the capitol, some of whom were frank enough to declare that they could not and would not, though in a minority, live under a government which they could not control. In this declaration is found the key which unlocks the whole of the complicated machinery of this revolution. The profligate ambition of public men in all ages and lands has been the rock on which republics have been split. Such men have arisen in our midst—men who, because unable permanently to grasp the helm of the ship, are willing to destroy it in the hope to command some one of the rafts that may float away from the wreck. The effect is to degrade us to a level with the military bandits of Mexico and South America, who, when beaten at an election, fly to arms, and seek to master by the sword what they have been unable to control by the ballot-box.

The atrocious acts enumerated were acts of war, and might all have been treated as such by the late administration; but the President patriotically cultivated peace—how anxiously and how patiently the country well knows.

While, however, the revolutionary leaders greeted him with all hails to his face, they did not the less diligently continue to whet their swords behind his back. Immense military preparations were made, so that when the moment for striking at the government of the United States arrived, the revolutionary states leaped into the contest clad in full armor.

As if nothing should be wanting to darken this page of history, the seceded States have already entered upon the work of confiscating the debts due from their citizens to the North and North-west. The millions thus gained will doubtless prove a pleasant substitute for those guarantees now so scornfully rejected. To these confiscations will probably succeed soon those of lands and negroes owned by citizens of loyal states; and, indeed, the apprehension of this step is already sadly disturbing the fidelity of non-resident proprietors. Fortunately, however, infirmity of faith, springing from such a cause, is not likely to be contagious. *The war begun is being prosecuted by the Confederate States in a temper as fierce and unsparing as that which characterizes conflicts between the most hostile nations. Letters of marque and reprisals are being granted to all who seek them, so that our coasts will soon swarm with these piratical cruisers, as the President has properly denounced them. Every buccaneer who desires to rob American commerce upon the ocean, can, for the asking, obtain a warrant to do so, in the name of the new republic. To crown all, large bodies of Indians have been mustered into the service of the revolutionary states, and are now conspicuous in the ranks of the Southern army. A leading North Carolina journal, noting their stalwart*

frames and unerring markmanship, observes, with an exultation positively fiendish, that they are armed, not only with the rifle, but also with *the scalping-knife and tomahawk*.

Is Kentucky willing to link her name in history with the excesses and crimes which have sullied this revolution at every step of its progress? Can she soil her pure hands with its booty? She possesses the noblest heritage that God has granted to his children; is she prepared to barter it away for that miserable mess of pottage which the gratification of the unholy ambition of her public men would bring to her lips? Can she, without laying her face in the very dust for shame, become a participant in the spoliation of the commerce of her neighbors and friends, by contributing her star, hitherto so stainless in its glory, to light the corsair on his way? Has the warwhoop which used to startle the sleep of our frontiers, so died away in her ears that she is willing to take the red-handed savage to her bosom as the champion of her rights and the representative of her spirit? Must she not first forget her own heroic sons, who perished, butchered and scalped, upon the disastrous field of Raisin?

The object of the revolution, as avowed by all who are pressing it forward is the permanent dismemberment of the Confederacy. The dream of reconstruction—used during the last winter as a lure to draw the hesitating or the hopeful into the movement—has been formally abandoned. If Kentucky separates herself from the Union, it must be upon the basis that the separation is to be final and eternal. Is there aught in the organization or administration of the government of the United States to justify, on her part, an act so solemn and so perilous? Could the wisest of her lawyers, if called upon, find material for an indictment in any or in all the pages of the history of the republic? Could the most leprous-lipped of its calumniators point to a single state or territory, or community or citizen, that it has wronged or oppressed? It would be impossible. *So far as the slave states are concerned, their protection has been complete, and if it has not been, it has been the fault of their statesmen, who have had the control of the government since its foundation.*

The census returns show that during the year 1860, the fugitive slave law was executed more faithfully and successfully than it had been during the preceding ten years. Since the installation of President Lincoln, not a case has arisen in which the fugitive has not been returned, and that, too, without any opposition from the people. Indeed, the fidelity with which it was understood to be the policy of the administration to enforce the provisions of this law, has caused a perfect panic among the runaway slaves in the free states, and they have been escaping in multitudes to Canada, unpursued and unreclaimed by their masters. Is there found in this, reason for a dissolution of the Union?

That the slave states are not recognized as equals in the Confederacy, has

for several years been the cry of demagogues and conspirators. But what is the truth? Not only according to the theory, but the actual practice of the government, the slave states have ever been, and still are, in all respects, the peers of the free. Of the fourteen presidents who have been elected, seven were citizens of slave states, and of the seven remaining, three represented Southern principles, and received the votes of the Southern people; so that, in our whole history, but four presidents have been chosen who can be claimed as the special champions of the policy and principles of the free states, and even these so only in a modified sense. Does this look as if the South had ever been deprived of her equal share of the honors and powers of the government? The Supreme Court has decided that the citizens of the slave states can, at will, take their slaves into all the territories of the United States; and this decision, which has never been resisted or interfered with in a single case, is the law of the land, and the whole power of the government is pledged to enforce it. That it will be loyally enforced by the present administration, I entertain no doubt. A Republican Congress, at the late session, organized three new territories, and in the organic law of neither was there introduced or attempted to be introduced, the slightest restriction upon the rights of the Southern emigrant to bring his slaves with him. At this moment, therefore, and I state it without qualification, there is not a territory belonging to the United States into which the Southern people may not introduce their slaves at pleasure, and enjoy their complete protection. Kentucky should consider this great and undeniable fact, before which all the frothy rant of demagogues and disunionists must disappear as a bank of fog before the wind. But were it otherwise, and did a defect exist in our organic law, or in the practical administration of the government, in reference to the rights of Southern slaveholders in the territories, still the question would be a mere abstraction, since the laws of climate forbid the establishment of slavery in such a latitude; and to destroy such institutions as ours for such a cause, instead of patiently trying to remove it, would be little short of national insanity. It would be to burn the house down over our heads merely because there is a leak in the roof; to scuttle the ship in mid-ocean merely because there is a difference of opinion among the crew as to the point of the compass to which the vessel should be steered; it would be, in fact, to apply the knife to the throat instead of to the cancer of the patient.

But what remains? Though, say the disunionists, the Fugitive Slave law is honestly enforced, and though, under the shelter of the Supreme Court, we can take our slaves into the territories, the Northern people will persist in discussing the institution of slavery, and therefore we will break up the government. It is true that slavery has been very intemperately discussed in the North, and it is equally true that until we have an Asiatic despotism, crushing out all freedom of speech and of the press, this discussion will probably continue. In this age and country all institutions, human and divine,

are discussed, and so they ought to be; and all that cannot bear discussion must go to the wall, where they ought to go. It is not pretended, however, that the discussion of slavery, which has been continued in our country for more than forty years, has in any manner disturbed or weakened the foundation of the institution. On the contrary, we learn from the press of the seceded states that their slaves were never more tranquil or obedient. There are zealots—happily few in number—both North and South, whose language upon this question is alike extravagant and alike deserving our condemnation. Those who assert that slavery should be extirpated by the sword, and those who maintain that the great mission of the white man upon earth is to enslave the black, are not far apart in the folly and atrocity of their sentiments.

Before proceeding further, Kentucky should measure well the depth of the gulf she is approaching, and look well to the feet of her guides. Before forsaking a Union in which her people have enjoyed such uninterrupted and such boundless prosperity, she should ask herself, not once, but many times, why do I go, and where am I going? In view of what has been said, it would be difficult to answer the first branch of the inquiry, but to answer the second part is patent to all, as are the consequences which would follow the movement. In giving her great material and moral resources to the support of the Southern Confederacy, Kentucky might prolong the desolating struggle that rebellious states are making to overthrow a government which they have only known in its blessings; but the triumph of the government would nevertheless be certain in the end. *She would abandon a government strong and able to protect her, for one that is weak, and that contains, in the very elements of its life, the seeds of distraction and early dissolution. She would adopt, as the law of her existence, the right of secession—a right which has no foundation in jurisprudence, or logic, or in our political history; which Madison, the father of the federal constitution, denounced; which has been denounced by most of the states and prominent statesmen now insisting upon its exercise; which, in introducing a principle of indefinite disintegration, cuts up all confederate governments by the roots, and gives them over a prey to the caprices, and passions, and transient interests of their members, as autumnal leaves are given to the winds which blow upon them.* In 1814, the *Richmond Enquirer*, then, as now, the organ of public opinion in the South, pronounced secession to be treason, and nothing else, and such was then the doctrine of Southern statesmen. What was true then is equally true now. The prevalence of this pernicious heresy is mainly the fruit of that farce called “state rights,” which demagogues have been so long playing under tragic mask, and which has done more than all things else to unsettle the foundations of the republic, by estranging the people from the federal government, as one to be distrusted and resisted, instead of being, what it is, emphatically their own creation, at all times obedient to their will, and in its ministrations the

grandest reflex of the greatness and beneficence of popular power that has ever ennobled the history of our race. Said Mr. Clay: "I owe a supreme allegiance to the general government, and to my state a subordinate one." And this terse language disposes of the whole controversy which has arisen out of the secession movement in regard to the allegiance of the citizen. As the power of the states and federal government are in perfect harmony with each other, so there can be no conflict between the allegiance due to them; each, while acting within the sphere of its constitutional authority, is entitled to be obeyed; but when a state, throwing off all constitutional restraints, seeks to destroy the general government, to say that its citizens are bound to follow in its career of crime, and discard the supreme allegiance they owe to the government assailed, is one of the shallowest and most dangerous fallacies that has ever gained credence among men.

Kentucky, occupying a central position in the Union, is now protected from the scourge of a foreign war, however much its ravages may waste the towns and cities upon our coasts, or the commerce upon our seas; but as a member of the Southern Confederacy, she would be a frontier state, and necessarily the victim of those border feuds and conflicts which have become proverbial in history alike for their fierceness and frequency. The people of the South now sleep quietly in their beds, while there is not a home in infatuated and misguided Virginia that is not filled with the alarms and oppressed by the terrors of war. In the fate of the ancient commonwealth, dragged to the altar of sacrifice by those who should have stood between her bosom and every foe, Kentucky may read her own. *No wonder, therefore, that she has been so coaxingly besought to unite her fortunes with those of the South, and to lay down the bodies of her chivalric sons as a breastwork, behind which the Southern people may be sheltered.* Even as attached to the Southern Confederacy, she would be weak for all the purposes of self-protection, as compared with her present position. But amid the mutations incident to such a helpless and disintegrating league, Kentucky would probably soon find herself adhering to a mere fragment of the Confederacy, or it may be standing entirely alone, in the presence of tiers of free states, with populations exceeding, by many millions, her own. Feeble states, thus separated from powerful and warlike neighbors by ideal boundaries, or by fears as easily traversed as rivulets, are as insects that feed upon the lion's lip—liable at every moment to be crushed. The recorded doom of multitudes of such, has left us a warning too solemn and impressive to be disregarded.

Kentucky now scarcely feels the contribution she makes to support the government of the United States, but as a member of the Southern Confederacy, of whose policy free trade will be a cardinal principle, she will be burdened with direct taxation to the amount of double, or, it may be, triple or quadruple that which she now pays into her own treasury. Superadded to this will be required from her her share of those vast outlays necessary for

the creation of a navy, the erection of forts and custom-houses along a frontier of several thousand miles; and for the maintenance of that large standing army which will be indispensable at once for her safety, and for imparting to the new government that strong military character which, it has been openly avowed, the peculiar institutions of the South will inexorably demand.

Kentucky now enjoys for her peculiar institution the protection of the Fugitive Slave law, loyally enforced by the government, and it is this law, effective in its power of recapture, but infinitely more potent in its moral agency in preventing the escape of slaves, that alone saves that institution in the border states from utter extinction. She cannot carry this law with her into the new Confederacy. She will, virtually, have Canada brought to her doors in the form of free states, whose population, relieved of all moral and constitutional obligations to deliver up fugitive slaves, will stand with open arms, inviting and welcoming them, and defending them, if need be, at the point of the bayonet. Under such influences, slavery will perish rapidly pass away in Kentucky, as a ball of snow would melt in a summer's sun.

Kentucky, in her soul, abhors the African slave-trade, and turns away with unspeakable horror and loathing from the red altars of King Dahomey. *But although this traffic has been temporarily interdicted by the seceded states, it is well understood that this step has been taken as a mere measure of policy for the purpose of impressing the border states, and of conciliating the European powers. The ultimate legalization of this trade, by a republic professing to be based upon African servitude, must follow as certainly as does the conclusion from the premises of a mathematical proposition.* Is Kentucky prepared to see the hand upon the dial-plate of her civilization rudely thrust back a century, and to stand before the world the confessed champion of the African slave-hunter? Is she, with her unsullied fame, ready to become a pander to the rapacity of the African slave-trader, who burdens the very winds of the sea with the moans of the wretched captives whose limbs he has loaded with chains, and whose hearts he has broken? I do not, I cannot, believe it.

For this catalogue of what Kentucky must suffer in abandoning her present honored and secure position, and becoming a member of the Southern Confederacy, what will be her indemnity? Nothing, absolutely nothing. The ill-woven ambition of some of her sons may possibly reach the Presidency of the new republic; that is all. Alas! alas! for that dream of the Presidency of a Southern republic, which has disturbed so many pillows in the South, and perhaps some in the West, also, and whose lurid light, like a demon's torch, is leading a nation to perdition!

The clamor that in insisting upon the South obeying the laws, the great principle that all popular governments rest upon the consent of the governed is violated, should not receive a moment's consideration. Popular government does, indeed, rest upon the consent of the governed, but it is upon the consent. *not of all, but of a majority of the governed.* Criminals are every day

punished, and made to obey the laws, certainly against their will, and no man supposes that the principle referred to is thereby invaded. A bill passed by the legislature, by the majority of a single vote only, though the constituents of all who voted against it should be, in fact as they are held to be in theory, opposed to its provisions, still is not the less operative as a law, and no right of self-government is thereby trampled upon. The clamor alluded to assumes that the states are separate and independent governments, and that laws enacted under the authority of all may be resisted and repealed at the pleasure of each. The people of the United States, so far as the powers of the general government are concerned, are a unit, and laws passed by a majority of all are binding upon all. The laws and constitution, however, which the South now resists, have been adopted by her sanction, and the right she now claims is that of a feeble minority to repeal what a majority has adopted. Nothing could be more fallacious.

Civil war, under all circumstances, is a terrible calamity, and yet, from the selfish ambition and wickedness of men, the best governments have not been able to escape it. In regarding that which has been forced upon the government of the United States, Kentucky should not look so much at the means which may be necessarily employed in its prosecution, as at the machinations by which this national tragedy has been brought upon us. When I look upon this bright land, a few months since so prosperous, so tranquil, and so free, and now behold it desolated by war, and the firesides of its thirty millions of people darkened, and their bosoms wrung with anguish, and know, as I do, that all this is the work of a score or two of men, who, over all this national ruin and despair, are preparing to carve with the sword their way to seats of permanent power, I cannot but feel that they are accumulating upon their soil an amount of guilt hardly equalled in all the atrocities of treason and homicide that have degraded the annals of our race from the foundations of the world. *Kentucky may rest well assured that this conflict, which is one of self-defence, will be pursued on the part of the Government in the paternal spirit in which a father seeks to reclaim his erring offspring. No conquest, no effusion of blood is sought. In sorrow, not in anger, the prayer of all is, that the end may be reached without loss of life or waste of property.* Among the most powerful instrumentalities relied on for re-establishing the authority of the government, is that of the Union sentiment of the South, sustained by a liberated press. It is now trodden to the earth under a reign of terrorism which has no parallel but in the worst days of the French revolution. The presence of the government will enable it to rebound and look its oppressors in the face. At present we are assured that in the seceded states no man expresses an opinion opposed to the revolution but at the hazard of his life and property. The only light which is admitted into political discussion is that which flashes from the sword or gleams from glistening bayonets. A few days since, one of the United State Sena-

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tors from Virginia published a manifesto, in which he announces, with oracular solemnity and severity, that all citizens who would not vote for secession, but were in favor of the Union—not should or ought to—but “**MUST** leave the state.” These words have in them decidedly the crack of the overseer’s whip. The Senator evidently treats Virginia as a great negro quarter, in which the lash is the appropriate emblem of authority, and the only argument he will condescend to use. However the freemen of other parts of the state may abase themselves under the exercise of this insolent and proscriptive tyranny, should the Senator, with his scourge of slaves, endeavor to drive the people of Western Virginia from their homes, I will only say, in the language of the narrative of Gilpin’s ride,

“May I be there to see!”

It would certainly prove a deeply interesting spectacle.

It is true that before this deliverance of the popular mind of the South from the threatenings and alarm which have subdued it can be accomplished, the remorseless agitators who have made this revolution, and now hold its reins, must be discarded alike from the public confidence and the public service. The country in its agony is feeling their power, and we well understand how difficult will be the task of overthrowing the ascendancy they have secured. But the Union men of the South—believed to be in the majority in every seceded state, except, perhaps, South Carolina—aided by the presence of the government, will be fully equal to the emergency. Let these agitators perish, politically, if need be, by scores,

“A breath can unmake them as a breath has made;”

but destroy this republic, and

“Where is that Promethean heat
That can its light relume?”

Once entombed, when will the angel of the resurrection descend to the portals of its sepulchre? There is not a voice which comes to us from the cemetery of nations that does not answer: “Never, never!” Amid the torments of perturbed existence, we may have glimpses of rest and of freedom, as the maniac has glimpses of reason between the paroxysms of his madness, but we shall attain to neither national dignity nor national repose. We shall be a mass of jarring, warring, fragmentary states, enfeebled and demoralized, without power at home, or respectability abroad, and, like the republics of Mexico and South America, we will drift away on a shoreless and ensanguined sea of civil commotion, from which, if the teachings of history are to be trusted, we shall finally be rescued by the iron hand of some military wrecker, who will coin the shattered elements of our greatness and of our strength in a diadem and a throne. Said M. FOULD, the great French statesman, to an American citizen, a few weeks since: “Your republic is dead,

and it is probably the last the world will ever see. You will have a reign of terrorism, and after that two or three monarchies." All this may be verified should this revolution succeed.

Let us, then, twine each thread of the glorious tissue of our country's flag about our heart-strings, and looking upon our homes and catching the spirit that breathes upon us from the battle-fields of our fathers, let us resolve, that, come weal or woe, we will, in life and in death, now and forever, stand by the stars and the stripes. They have floated over our cradles, let it be our prayer and our struggle that they shall float over our graves. They have been unfurled from the snows of Canada to the plains of New Orleans, to the halls of the Montezumas, and amid the solitudes of every sea; and everywhere, as the luminous symbol of resistless and beneficent power, they have led the brave and the free to victory and to glory. It has been my fortune to look upon this flag in foreign lands, and amid the gloom of an oriental despotism, and right well do I know, by contrast, how bright are its stars, and how sublime are its inspirations! If this banner, the emblem for us of all that is grand in human history, and of all that is transporting in human hope, is to be sacrificed on the altars of a Satanic ambition, and thus disappear forever amid the night and tempest of revolution, then will I feel—and who shall estimate the desolation of that feeling?—that the sun has indeed been stricken from the sky of our lives, and that henceforth we shall be but wanderers and outcasts, with naught but the bread of sorrow and penury for our lips, and with hands ever outstretched in feebleness and supplication, on which, in any hour, a military tyrant may rivet the fetters of a despairing bondage. May God in his infinite mercy save you and me, and the land we so much love, from the doom of such a degradation.

No contest so momentous as this has arisen in human history, for, amid all the conflicts of men and of nations, the life of no such government as ours has ever been at stake. Our fathers won our independence by the blood and the sacrifices of a seven years' war, and we have maintained it against the assaults of the greatest power upon the earth; and the question now is, whether we are to perish by our own hands, and have the epitaph of suicide written upon our tomb? The ordeal through which we are passing must involve immense suffering and losses for us all, but the expenditure of not merely hundreds of millions, but of billions of treasure, will be well made, if the result will be the preservation of our institutions.

Could my voice reach every dwelling in Kentucky, I would implore its inmates—if they would not have the rivers of their prosperity shrink away, as do unfed streams beneath the summer heats—to rouse themselves from their lethargy, and fly to the rescue of their country, before it is everlastingly too late. Man should appeal to man, and neighborhood to neighborhood, until the electric fires of patriotism shall flash from heart to heart in one unbroken current throughout the land. It is a time in which the workshop,

the office, the counting-house, and the field, may well be abandoned for the solemn duty that is upon us, for all these toils will but bring treasure, not for ourselves, but for the spoiler, if this revolution is not arrested.

We are all, with our every earthly interest, embarked in mid-ocean on the same common deck. The howl of the storm is in our ears, and "the lightning's red glare is painting hell on the sky;" while the noble ship pitches and rolls under the lashings of the waves, the cry is heard that she has sprung a leak at many points, and that the rushing waters are mounting rapidly in the hold. The man who, in such an hour, will not work at the pumps, is either a maniac or a monster.

Sincerely yours,

JOSEPH HOLT.



THE WAR:

A SLAVE UNION OR A FREE?

Speech of Hon. Martin F. Conway, of Kansas, delivered in the House of Representatives, Thursday, December 12, 1861. Revised by the Author.

MR. SPEAKER—It is a source of much regret to the country that the war should not be conducted with more effect than has so far characterized it. While few feel authorized to question the present delay of effective operations, or deny its necessity, all are profoundly dissatisfied with the fact itself. The war has already been protracted beyond the limit which the public mind, at the outset, fixed for its termination, assuming gigantic proportions, and involving expense of life and treasure not apprehended when the struggle began.

The original object of the country was to put down a rebellion, not to inaugurate a regular war. The authority to make war being not with the President, but with Congress, it was in recognition of his right to suppress insurrection merely that the volunteer soldiery of the country responded to his call, when the Government was menaced with destruction. The intention of Congress, in voting such extraordinary supplies of men and money, was the same.

The spirit of the lamented General Lyon, manifested in the vigorous and summary manner with which he subdued the earlier secession movements in Missouri, was that in which the whole nation impatiently sympathized. It wanted the authority of the Government exerted with decision and effect, so that rebellion should be crushed in the shell, and not permitted to hatch into revolution. But the course of the Government has not corresponded with the ardor of the people. The conflict has now been progressing nine months, and has changed its character from an attempt to destroy an insurrection into a deliberate and settled war.

Up to the present time we have not encountered the enemy in a single engagement of importance in which we have won an unquestionable victory. At Bethel, at Manassas, at Springfield, at Leesburg, and at Belmont, we have been defeated. Saving two expeditions to our Southern coast, the Federal arms have been

everywhere overborne, notwithstanding our volunteers have displayed a gallantry rarely equaled even by veteran troops.

This fruitless campaign has resulted in defeating the original purpose of the country; and the rebels have secured, under the recognition of nations, a belligerent character, in derogation of their responsibilities to the Federal Union.

The character thus confirmed to the rebellious States gives them a position they could not hold under the Federal Constitution. In point of fact, it confers upon them a recognized status among nations to make war upon that Constitution. Why, then, does it not also exonerate the Federal Government from any obligation to them dependent upon that instrument? How can they have rights under the Constitution the Government is bound to respect, while they are enjoying the rights of belligerents arising from incompatible relations? It is impossible to appreciate the logic requiring us to treat them as sister States, respecting rights as such, while they are warring upon us as a foreign enemy. It certainly would be more just as well as correct to claim them as rebel States, with such a belligerent character as releases us from any obligation to respect their Federal status.

In fact and principle, their character as belligerents fixes their status, and not our common Constitution. Its authority is as to them suspended. No United States officer has exercised his functions in any of those States for nine months. During this period we have been powerless there to give protection in any shape to life and property. Through an organization styled the "Confederate States Government," a military power has exhibited itself, which, embodying the force of that section, exercises civil administration, and disputes our sway. The following from Vattel is precisely to the point:

"When a nation becomes divided into two parties, absolutely independent, and no longer acknowledging a common superior, the state is dissolved, and the war between the two parties stands upon the same ground, in every respect, as a public war between two different nations."—*Book III., chap. 17, p. 428.*

This is in reality the principle now governing the case, whatever may appear to the contrary. We have established a blockade of the Southern coast as against a public enemy, under international law. We have been meeting the Confederate authorities for months and holding relations with them through the medium of a flag of truce—a symbol authorized only by public law. We hold in our hands hundreds of their prisoners, including some of their most eminent men, whom we do not try for treason, but are exchanging for our own friends held as prisoners of war by them.

We have arrested their ambassadors, under the British flag on the high sea, for which we have no justification except on the assumption that they were envoys from a public enemy, recognized as such by the law of nations.

The action of our Government in all these matters is necessarily based on the theory that the Confederate States (so called) are beyond the jurisdiction of the Union, holding a middle ground, subject to the issue of the pending conflict. I do not see that there is any possibility of getting away from this conclusion.

The work of the Government, at its present stage, is not, therefore, suppression of insurrection, in any just sense; but the overthrow of a rebellious belligerent power. Its success does not signify the execution of the terms of an existing government in the seceded States—remitting them to their original status in the Union; but implies their subjugation to the sovereignty of the United States, to be held as Territories, or military dependencies, or States, or anything else we please. This is clearly the present attitude of the case.

Now the evil of our system is the institution of slavery. Conflicting with the rights of human nature, it is required to grasp, monopolize, and exercise power despotically, in order to perpetuate its own existence. It has been to us a prolific source of national disaster. It is the sustaining cause, the object, and chief resource of this rebellion; at the same time that it is the point at which the most fatal blow may be inflicted upon it.

The abolition of slavery is no longer a "contraband" proposition. It has been elevated by events into a measure of widespread public importance, demanding the favorable consideration of statesmen. It is no longer the shibboleth of a sect or party, but the overruling necessity of a nation. To retain slavery, under existing circumstances, in our body politic, would, in my judgment, evince the very worst kind of folly or wickedness. To eliminate it forever should be the unwavering determination of the Government.

Nevertheless, the Administration refuses to heed such counsel, and persists in regarding the institution as shielded by such constitutional sanction as it is not at liberty to infract.

The President, in his recent message to Congress, refers only incidentally to the subject, and indicates no policy whatever for dealing with the momentous question.

In the recent orders of the Secretary of War to Generals in the field, and other official documents and acts, the principles upon

which the subject is to be regulated are, however, set forth. In an order to Major-General Butler, dated May 30, 1861, the Secretary of War says:

"While, therefore, you will permit no interference by the persons under your command with the relations of persons held to service under the laws of any State, you will, on the other hand, so long as any State within which your military operations are conducted, is under the control of such armed combinations, refrain from surrendering to alleged masters any persons who may come within your lines. You will employ such persons in the services to which you they be best adapted, keeping an account of the labor by them performed, of the value of it, and of the expenses of their maintenance."

In another order to General Butler, dated August 8, 1861, the Secretary declares:

"It is the desire of the President that all existing rights in all the States be fully respected and maintained. The war now prosecuted on the part of the Federal Government is a war for the Union, and for the preservation of all constitutional rights of States, and the citizens of the States in the Union." * * *

"Under these circumstances, it seems quite clear that the substantial rights of loyal masters will be best protected by receiving such fugitives, as well as fugitives from disloyal masters, into the service of the United States, and employing them under such organizations and in such occupations as circumstances may suggest or require. Of course, a record should be kept, showing the name and description of the fugitives; the name and character, as loyal or disloyal, of the master; and such facts as may be necessary to a correct understanding of the circumstances of each case after tranquillity shall have been restored."

An order to Brigadier-General Sherman, commanding the land forces of the United States in the recent expedition to Port Royal, dated October 14, 1861, is as follows:

"SIR—In conducting military operations within States declared, by the proclamation of the President, to be in a state of insurrection, you will govern yourself, so far as persons held to service under the laws of such States are concerned, by the principles of the letters addressed by me to Major-General Butler, on the 30th of May and the 8th of August, copies of which are herewith furnished to you. As special directions, adapted to special circumstances, can not be given, much must be referred to your own discretion as commanding general of the expedition. You will, however, in general avail yourself of the services of any persons, whether fugitives from labor or not, who may offer them to the National Government; you will employ such persons in such services as they may be fitted for, either as ordinary employees, or, if special circumstances seem to require it, in any other capacity, in such organization, in squads, companies, or otherwise, as you may deem most beneficial to the service. This, however, not to mean a general arming of them for military service. You will assure all loyal masters that Congress will provide just compensation to them for the loss of the services of the persons so employed. It is believed that the course thus indicated will best secure the substantial rights of loyal masters, and the benefits to the United States of the services of all disposed to support the Government, while it avoids all interference with the social systems or local institutions of every State beyond that which insurrection makes unavoidable, and which a restoration of peaceful relations to the Union, under the Constitution, will immediately remove.

Respectfully,

SIMON CAMERON,

Secretary of War.

"Brigadier-General T. W. SHERMAN,

Commanding Expedition to the Southern Coast."

In pursuance of these instructions, a proclamation was issued by General Sherman to the people of South Carolina, saying that—

"In obedience to the orders of the President of these United States of America, I have landed on your shores with a small force of national troops. The dictates of a duty which, under these circumstances, I owe to a great sovereign State, and to a proud and hospitable people, among whom I have passed some of the pleasantest days of my life, prompt me to proclaim that we have come among you with no feelings of personal animosity, no desire to harm your citizens, destroy your property, or interfere with any of your lawful rights or your social or local institutions, beyond what the causes herein alluded to may render unavoidable."

Major-General Dix also issued a proclamation to the people of Accomac and Northampton counties, in the State of Virginia, dated November 13, 1861, beginning as follows :

"The military forces of the United States are about to enter your counties as a part of the Union. They will go among you as friends, and with the earnest hope that they may not, by your own acts, be forced to become your enemies. They will invade no rights of person or property. On the contrary, your laws, your institutions, your usages, will be scrupulously respected. There need be no fear that the quietude of any fireside will be disturbed, unless the disturbance is caused by yourselves.

"Special directions have been given not to interfere with the condition of any person held to domestic service; and, in order that there may be no ground for mistake or pretext for misrepresentation, commanders of regiments and corps have been instructed not to permit any such persons to come within their lines."

Major-General Halleck within a few weeks departed from Washington to supersede General Fremont in the western department; and immediately upon arriving at headquarters issued an order excluding all slaves from the lines of his command, and prohibiting their further admission.

I can not see that the policy of the Administration, as thus exemplified, tends, in the smallest degree, to an anti-slavery result. The principle governing it is, that the constitutional Union, as it existed prior to the rebellion, remains intact; that the local laws, usages, and institutions of the seceded States are to be sedulously respected, unless necessity in military operations should otherwise demand. There is not, however, the most distant intimation of giving actual freedom to the slave in any event.

It is settled that the status of a slave under our system is fixed by law, or usage amounting to law; and until this is changed by competent authority, it adheres, no matter what change of circumstances may occur in other respects, to the slave. Should the rebellion be suppressed to-morrow, the masters of those slaves now coming within our lines, and helping us, would have a claim to their rendition, under the fugitive slave or the local law.

While, therefore, the order of the Treasury Department for paying these persons for services rendered, and the recommendation of the Navy Department that they be permitted to travel off, are good as far as they go, they do not affect the vital question at issue.

The Secretary of War suggests something nearer to the point, in saying that the Government ought to confer freedom on all slaves who shall, in any military exigency, render it service.

But nothing which may be said or done will be sufficient for the emergency while the Government imposes upon itself the responsibilities of the Union with regard to the rebellious States. This principle must be repudiated; or it is obvious that we are

tied hand and foot. Under our constitutional system the individual States are authorized to control their domestic institutions (including slavery) in their own way. This is the simple truth, and can not be ignored or gainsayed. It is folly to look for emancipation by the nation in contravention of the system through which the nation lives and acts. The ministers of the Government are bound by the Constitution in the discharge of their duties. Any action of theirs transcending this limitation is revolutionary and criminal, and ground for impeachment and punishment. Men sworn to the performance of duty according to a certain formula, are mere instruments, and rightfully possess no volition of their own.

As to giving freedom to five millions of slaves on the principle of a military necessity to suppress insurrection, it is an idle dream. This principle does not even admit of a general rule on the subject. The requisite military exigency authorizing action may exist in one place and not in another—in Missouri, for instance, on the line of Lane's Kansas brigade, and not in Accomac or Northampton. Its existence must, of course, be determined upon, when and where it arises, by officers in command. To seriously impair the integrity of slavery in this way depends on two very remote contingencies, to wit: *first*, on an honest sympathy with the abolition cause in those who carry on the war; and *second*, on such a formidable and long-continued resistance from the rebels as will create the necessity for utter and absolute emancipation in order to overcome them. The chance of these contingencies being fulfilled is the measure of probability for emancipation on the ground of a military necessity under the Constitution; and the country can judge of the extent of this for itself.

For my own part, I think it quite problematical whether there is more than one sincere abolitionist or emancipationist among the military authorities; or that the rebellion will ever hold out to the point of rendering the liberation of the whole body of slaves necessary to subdue it.

Slavery can not be abolished in a State by act of Congress. The thing is impossible. Congress is the legislative branch of the Government, performing its duties under certain constitutional limitations. Slavery in the States is outside of those limitations. It can be abolished only by the States themselves, or by the Executive *in time of war*, on principles of public law, as ably expounded many years ago by John Quincy Adams. In the suppression of insurrection, however, the Executive has not this

power, unless the insurgents have ceased to be parties to our constitutional Union; in which case they have, in fact, ceased to be insurgents, and become alien belligerents.

The overthrow of slavery by confiscating the property of rebel slaveholders seems to me to be utterly impracticable, consistently with the plain requirements of the Constitution. A bill has recently been introduced into the Senate to declare the property of all persons engaged in the rebellion forfeited, and directing the President to execute its provisions summarily without the interposition of civil process for trial or judgment. This bill is unconstitutional. The fifth amendment to the Constitution provides that—

“No person shall be deprived of life, liberty, or property without due process of law.”

And the sixth amendment is as follows:

“In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State or district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.”

A bill has been introduced, also, into this body of similar import, and obnoxious to the same objection, and likewise to a still stronger one. This latter bill proposes to abolish a State, and degrade it to the position of a Territory. Any such act as this would be utterly at war with the theory of our Federal system. It could not be carried into effect without destroying the nation, such as it has heretofore existed. Its success would establish a precedent which would make the Federal Government the source of all power, and convert the States into mere corporations.

Yet, while such views as these are correct, as regards the States of the Union, we could accomplish the object of emancipation without legal difficulty, as toward a foreign nation or belligerent power. The confiscation of property and the regulation of order could be provided for by act of Congress in any territory conquered to the authority of the United States. Powers equal to these ends would vest for the time being in the Executive, as Commander-in-chief of the nation, even without any such enactment. When General Scott entered the halls of the Montezumas, conqueror of Mexico, his authority under the President was supreme throughout that country. He represented the sovereignty of the United States, and as its executive agent, no limitation existed upon his authority within the conquered territory but such as was imposed by the laws of nations. The discretion of the President in such case is the measure of his power; but this must

be governed by the exigencies ; and for the faithful exercise of this extensive trust, he is responsible to the nation, through its established tribunals. He may, at any moment, be impeached by this House.

It is, in my judgment, of transcendent importance to guard the principles of our system of free government. The most important of them is that of a division of powers into the three departments of the legislative, judicial, and executive. This has always been regarded as essential to liberty. It is now necessary that the Executive should wield military power. But the object of this is to preserve our system, not to destroy it. The war is, of course, to be comparatively of very short duration ; and at its termination the executive power will again be restored to that of a civil magistrate. In the mean time, let Congress be circumspect in its own action, and prepared to hold the other branches to a just accountability.

The success of the Government in subduing upon its present plan the rebellious States must inevitably result in restoring the domination of the slaveholding class by reinstating the institution, under the forms of our constitutional system, in the powers, privileges, and immunities which have always pertained to it. Hence, such a policy is calculated to bring no lasting peace to the country, and utterly fails to fulfill the object to which a wise statesmanship would strive to direct the tendencies of the present momentous occasion.

It is no answer to me to say that it would elevate to power in the South men of more agreeable manners, or even more gentle pro-slavery views, than are now on the stage. In truth, the character of the agents whom the slaveholders select to represent them has no important relation to the question. Men are of but little consequence in this case. It is a contest of principles. The rehabilitation of slavery in the Union brings with it the whole train of evils under which the country has suffered from the origin of the Government.

There are, however, many persons who believe that slavery may be placed where it will "be in course of ultimate extinction ;" that, indeed, the effect of this war, in any event, will be so to weaken it in all the States in which it exists, that it will be unable to recover from the shock thereby inflicted, but will languish, and ultimately die, without a disturbing struggle.

This is, in my judgment, a mistake. The inexorable and eternal condition of the life of slavery is, that it must not only hold its own, but it must get more. Such is the unchangeable law, devel-

oped from the conflict of slavery with the order of justice; and no one is competent to render a judgment in the case who does not recognize it.

The object of government is the protection of the rights of persons and property, which slavery contravenes. Slavery is a systematic violation of these rights. Government is instituted for mutual protection—the protection of each through the union of all—and presupposes no superiority of right in its subjects one over another, but implies perfect equality between them in respect to the end aimed at—the one object of justice between man and man. It is an instrument of nature; and whatever transient influences may for a time intervene to warp it from its appointed way, it will forever, like the magnetic needle, revert back to the eternal current which God has set to bind it to its course. Consequently, between it and slavery there is, in principle, an eternal antagonism. The law of the one is to accomplish the identical result which the other is bound by its law to prevent. To dominate government, and keep it from obeying the true principle of its being, is therefore the chief task of slavery. It must subvert government, with respect to itself, to have an existence. Nor is this all. Government arises from the elementary spirit of justice operating to the end of maintaining among men the divine order. Slavery is at war with this elementary spirit, and consequently to merely neutralize government leaves it still exposed to the force of natural justice. It must, therefore, subvert this, which it can only do through the forms of authority; hence it must control the machinery and symbols of government. Thus possessing the power of the State, it can confer upon itself a legal sanction which nature denies it. So that the existence of slavery necessarily involves its mastery of the Government in some form or other. But the tenacity of Government to the law of its being gives it a powerful tendency, when thus perverted, to recur to its true functions, which calls for an equally strong opposing influence to counteract this tendency. Hence slaveholders are forever at work fortifying themselves in the Government by augmenting in every possible way their political control.

Security is the great necessity of slavery; security is what it wants and must have. The value of property in slaves, like that of any other, depends on its tenure. But a secure tenure is much more difficult to get for slaves than for ordinary property. The latter may be tolerably safe under any circumstances, except those of the wildest anarchy; because mankind recognize and respect, instinctively, the natural and necessary property which is in the

order of nature incident to man. The relation which the universal sense recognizes and respects is man *and* property, several but connected, the one idea excluding the other as in the same being. Given the idea of man, and that of property pertaining to him follows, under the inflexible laws governing the association of ideas. But holding men *as* property conflicts with this. It breaks the chain of ideas. Men can not be held as property and yet stand to property as principal to supplement. Nature is violated. Logic is contradicted. Moral anarchy prevails. And hence the currents of human thought, linked with those of feeling, running upon eternal principles, set forever against it. Consequently, slave property is "peculiar." With respect to other kinds of property, no one will disturb it unless some one wants it for himself; unless some one intends to steal it. But as to slave property, the danger is simply that of an interference to set the bondman free. "Negro thief," a favorite epithet of slaveholders, is with them only another name for an "Abolitionist." It being only possible to render slavery secure by interposing the embodied force of the community, in its Government, against the natural impulse of each disinterested member thereof to strike it down, the slaveholder must not only govern the Government to keep it from doing justice between himself and bondman, but he must own it, that he may use it as a shield against individual intervention. Yet it is constantly liable to be swept out of his hands and carried back to its natural orbit by the powerful tides of human thought and feeling, which never cease to flow. And so he is never at rest. He must be always rolling his stone. A precarious tenure of his slaves is intolerable to him. The constantly recurring fear of losing the power of governing excites in his mind visions—to him the most hideous—of universal emancipation. The probability of it goes directly home to his pocket by reducing the market value of his slaves.

It is, therefore, by no means enough for him to have present possession of Government. He must have it for all time; and of this he must have guarantees. It results that the more he gets the more he wants. He can, of course, never get absolute guarantees, because he is in conflict with the Absolute. The moral world moves, and Governments move with it, and both move, though irregularly, in the direction of eternal justice; and hence his institution continues more or less in question, in spite of all he can do. Thus slaveholding inevitably begets an intense and ever augmenting lust of power, which nothing can fully appease, but which would, if not overcome, advance, step by step, from one seat of au-

thority to another, until it covered the whole continent with its black pall.

The annals of our country abound with illustrations to enforce this teaching. The slaveholders commenced under our system with much more than a moderate degree of power. They had, in fact, a large preponderance in the Government. They were uppermost in both Houses of Congress, and in the judiciary and executive departments. It is true, they might, in the Senate, be ultimately overcome; and the constantly expanding populations of the free North might soon neutralize them in the House. Nevertheless, they could at all times choose their own President. They had votes in the electoral college equal to their entire vote in Congress; and while their unity was of course perfect, the North was, at all times, more or less divided. Its rival candidates for the Presidency would compete for the vote of the slaveholders, for permission to take the office in trust for them, and use it under their dictation. The patronage and power of the executive office were ample to have enabled them, by keeping the other Departments generally filled with their servitors, to dominate over the country.

This was their original policy. In pursuance of it they elected nearly all our Presidents; appointed our judiciary; carried our Congresses; admitted Missouri, Arkansas, Florida, and Texas; involved us in the war with Mexico; passed the fugitive slave law; annulled the Missouri compromise; carried on the war against Kansas, and kept that State out of the Union for four years—governed the country, in short, entirely in their own way, for three fourths of a century. As a part of this policy, they subsidized a large number of the public men and public press of the North. The democratic party was their tool as long as they wanted to use it; and then they broke it into pieces and threw it away.

Their plan of operations was, indeed, most excellent, and in hands as skillful as theirs need never have failed of its purpose. But they were not content with the vast power it gave them. Their instincts impelled them to look beyond it to still greater aggrandizement and stability. How could they, being slaveholders, be satisfied with any limitation, present or prospective, certain or contingent? Their first policy was accordingly superseded gradually by a more radical and ambitious one, of which the rebellion now convulsing the nation is the effect.

As early as 1832, it became the settled purpose of Mr. Calhoun and his disciples to organize the South into a distinct State. It was not originally, however, their wish to dissolve the Union. Their

preferred idea was to change the Federal system. They wanted to refine on the original plan by rendering the South one and an equal confederate in the system with the North; thus making the organization not only a Federal Government of several States, but having the South united as one, with a power of control over the whole. It was a thing necessary to this end, that the South should have in some form a final negative or veto power; so that nothing could be done by the Government without her assent. To hold the Senate would suffice for this, and such was the foundation of that desire for "equilibrium," which induced the slaveholders, for a long time, to refuse to admit into the Union any free State without coupling therewith a slave State. This proving insufficient, the Southern mind, under the plastic genius of Mr. Calhoun, abandoned the idea of an equilibrium for the more imposing and attractive dream of independence. This gentleman elaborated and enforced his views with great eloquence and power in the Senate in 1850, when he suggested an amendment to the Constitution. He proposed that the executive department be reorganized, with two Presidents instead of but one; one to have charge of foreign, the other domestic affairs; one to be from the North, the other the South, and each to have a veto upon Congress and the other.

Although this proposition was regarded at the North as extremely visionary and preposterous, and was never again presented in the same form, its introduction marks the period of a new system of political action in the South. Every subsequent movement of the Southern leaders has had reference to the principle here involved. Independence has been since then their central idea—independence in or out of the Union. Their first effort after this was to make slave States out of all the Territories and to admit them; and to continue the acquisition of territory along the southern line for the same purpose, with a view to constitute the Senate the permanent organ of the South. Accordingly the Missouri compromise was annulled; Nebraska divided into two Territories, so as to form ultimately four States; and the Dred Scott opinion announced. These measures were all parts of a conspiracy. The Supreme Court were to adjudge all territory of the Union slave territory; so that the minions of the South might step in, take possession, and send up the Senators duly certificated. It never occurred to them that the North would, in spite of their judicial decree, wrest their possessions from them by a superior emigration. But it so happened that Kansas was the key to the whole issue, and the North fixed its eye upon Kansas, and determined, cost

what it might, to secure it. The acquisition of Kansas by an intensely anti-slavery population dashed the fine scheme of the slaveholders, and left them no other resort, if they would have independence, than an attempt to win it by war against the Government. And this attempt we have in the present rebellion.

And here let me pause for a brief moment, to pay a merited tribute of respect and gratitude to my constituency. Brave, devoted, uncompromising, heroic people! proudly do I bear your honored name in these Halls. Sir, theirs is the glory of these eventful days; to them belongs the credit of having first interposed a barrier to check the progress of despotic rule on this continent. Kansas lost, we should now be hopelessly, irretrievably subjugated. No such Republican party as we have seen would have been organized, or, if organized, it would have been speedily extinguished. Abraham Lincoln would not now be President; but rather some such slaveholder as Jefferson Davis. We should not now see a mighty host marshaled beyond the Potomac, with the cheering ensign of the Republic full high advanced, and the power of a legitimate Government and twenty millions of free people behind it; but we should see, instead of this, our Government transformed into a slaveholding despotism, as tyrannical as that of Nero, by means so indirect and insidious as hardly to be seen until the fatal work was finished. The people of Kansas took it upon themselves to act as a breakwater, which has had the effect to stay the advancing tide of slavery, and shield the continent from its sway.

When I recur to my own intercourse with this gallant people during the period of their terrible struggle in their attempts to subdue the wilderness—to make homes for themselves where no home save that of the Indian, the elk, or the buffalo had ever existed before; considering their scanty resources, and the severities of life in a new country to which they were exposed; and remembering their determined purpose in behalf of the cause in stake—how men and women alike surrendered with alacrity every personal interest and comfort and aspiration, and, with a sublime self-sacrifice, consecrated themselves to the great service—the perils they encountered, the extreme suffering they individually endured, and yet the true martyr spirit, the patience, the constancy, the fortitude they displayed throughout; when I recall these things, and my own relations with them in those trying scenes—our mutual hopes and fears and efforts—the days when we were together in the council and the camp—the nights when,

on the broad unsheltered prairie, or around rude and poor but hospitable firesides, we were consulting, deliberating, arranging, resolving, and executing; and when I recall, as I never fail to do, the glorious memory of those who passed through the shadows of death in this august work—some by sickness, others by privation, others again on the field of battle bravely fighting for liberty—I am moved with a feeling for which no expression would be appropriate but the silent eloquence of tears.

Sir, history has no brighter page in all her long annals than this. I say it without hesitancy, although I am the Representative of Kansas on this floor.

It is recorded of the chivalric but ill-fated people of Poland, that they stood up a shelter and breastwork for Europe against the swelling tide of infidel invaders who, in the seventeenth century, threatened to overwhelm the civilization of that continent. A similar record will be made by the pen of impartial history, to testify to the transcendent heroism of my noble friends and constituency. It shall be said of them that, though few in number, limited in means, surrounded by enemies, far away from friends and reinforcements, they yet stood up, like a wall of adamant, against a power which wielded the resources of a nation of thirty millions, balked it of its prey, and saved a continent to freedom and civilization. Such is the inscription which the eternal page will bear in letters of light, regarding the transactions to which I refer; and traditionary song and story shall celebrate to posterity the worth of their deeds which to-day may find no recognition.

In what has been said we may see two methods of teaching—one by reasoning, *à priori*, and the other by inference from history—alike inculcating the one lesson, to wit: the folly of attempting to hold slavery in a subordinate position, or to place it where it will be in course of ultimate extinction. It is tenacious of existence, and its very existence implies rule; and to make this secure is its never-failing motive. Security is what it wants—not security admitting of degrees of some, more, most—positive security, comparative security, or superlative security—but ABSOLUTE SECURITY. Hence, unlimited power will alone suffice it. No truth in history is brought more directly home to us than this. Leniently, patiently, indulgently, expensively, and fully have we tried the experiment; and now we have its lesson thundered in our ears from the cannon's mouth. And therefore Lord John Russell was perfectly correct in saying, as he did say a few weeks ago, at Newcastle, with respect to this country, that—

"Supposing this contest ended by the re-union of its different parts; that the South should agree to enter again with all the rights of the Constitution, should we not again have that fatal subject of slavery brought in along with them—that slavery which, no doubt, caused the disruption, and which we all agree must sooner or later cease from the face of the earth? Well, then, gentlemen, as you will see, if this quarrel could be made up, should we not have those who differed with Mr. Lincoln at the last election carry at the next, and thus the quarrel would re-commence, and perhaps a long civil war follow."

Lord John Russell is substantially right in this respect. Let this plan of the Administration for bringing back the seceded States on the old basis be realized, and we shall be precisely where we were at the commencement of this struggle. Slavery might possibly be satisfied with Mr. Lincoln's policy to-day, but what would not to-morrow inevitably disclose? It might possibly, while suffering from the disaster of secession, regard its situation tolerably satisfactory in the Union on almost any terms. But once recovered from the shock of its defeat, would it not again develop its ambitious and aggressive nature with as much virulence as ever? No one can doubt it. Hence, should this policy prevail, nothing is more demonstrably clear than that the future history of this country will realize the very same troubles of which we so grievously complain in our past, and which culminated in the overwhelming calamity of civil war. After the lapse of a little time, when the strife of the present hour shall have composed itself to rest, the old monster will again come forth from his lair. In every State in the South we shall have this measure and that for the benefit of slavery set up as a *test* in all the elections for State Legislature, for Governor, for members of Congress, for Presidential electors, for everything; and those candidates will, of course, be chosen who are most *ultra* in their pro-slavery tendencies. If Mr. Holt, or Mr. Johnson, or Mr. Carlile, or other men like them, do not square up to the highest standard of Southern exaction, they will be soon set aside, and those who do will take their places. The Presidential election will be controlled in the same way. It will be treason to the South to vote for a Northern man, unless he is a "Northern man with Southern principles." Their chosen candidate will be the one who gives the best proofs of his devotion to the South. Here, then, will again be generated that species of politician known as the "doughface." Those at the North who, in times past, ignominiously threw themselves down at the feet of the slaveholders, as "mudsills," to pave the edifice of their power, will again pass into the service of that "oligarchy." Northern servility and Southern arrogance will grow apace; and from one demand to another, from one concession to another, they will advance, until the disorder again reaches its crisis, when

another explosion will ensue, the anti-slavery element will rise into power as before by reason of excesses on the other side, the whole slave interest will be again imperiled, in consequence of which it, with, perhaps, its allies, will again fly to arms (its natural resort), and the country will again be involved in the horrors of civil war. This is the inevitable action and reaction of our present system. The movement, while slavery lasts, is one which proceeds upon natural laws, just as inexorable as the laws which govern the movements of the planets. They can not be counteracted by any sort of political legerdemain.

Nor does it improve the case in the slightest degree that all this will be done through men and organizations heretofore dear to the people as representing a better cause. Circumstances change, and men change with them; but principles change not. Men may not see, or seeing may not believe. Again: men may be willing, for the sake of power, to discard the principles to which they once stood pledged. Or they may never, in fact, have been pledged to principles in themselves, but only to certain applications of them.

The resolving force of the war may turn the spirit of slavery into a new body, with new head and feet and hands. The old *personnel* of the oligarchy may be entirely displaced. Hunter and Mason, and Slidell and Toombs, and Stephens and Beauregard, and Keitt and Pryor, and the whole array of the present, may pass into eternal oblivion, and new names be substituted in their stead; names, it may be, in many instances, which have been, and are even now, associated with our own in political action. But this will not improve the case. Slavery will be slavery still. Organizations can not change it, though it may change them. Nor can men's names, nor party names, change it. It may enroll itself under the "Flag of our Union," and turn its face from Richmond to Washington. It may gather around the purloins of the White House, instead of the Confederate mansion. It may bow down to Abraham Lincoln as the god of its idolatry, rejecting its present idol on the banks of the James River. But it will, nevertheless, be sure to come into our Senate and House of Representatives; it will be sure to come into our electoral college; it will be sure to come into our national conventions; and it will be sure to be felt wherever it is. It will vote for slavery. It will vote for slavery first, and for slavery last, and always for slavery. If Abraham Lincoln would be re-elected President, he must secure the vote of slavery; for if he does not, somebody else will, by its aid, be elected over him. And it follows, as the night the day, if Abraham

Lincoln secures the vote of slavery, that slavery must, in turn, secure the vote of Abraham Lincoln.

Indeed, the tendency of the Government, upon the principles which now control its action with respect to the war, is irresistibly toward such a transmutation of political elements as will restore the slave power to its wonted supremacy in the Union, with the Administration for its representative and agent, however reluctant the latter might be to perform so ignominious a part.

There are two classes of slaveholders, who, though divided on the particular question of secession, are yet one and indivisible on the paramount question affecting the power and prestige of slavery ; namely, Unionists and Secessionists. One is, as to the Union, with us, the other against ; both, however, having a common purpose with respect to slavery, to wit : its security, and to this end its domination.

It is the determination of the secessionists to dissolve all political relations with anti-slavery people of every class, and to establish a government into which no insidious foe shall be permitted to enter, but through which slavery shall reign forever, undisputed and indisputable sovereign lord. On the other hand, those slaveholders who cling to the Union propose to accomplish pretty much the same thing by a different process ; namely, by bringing all the slaveholders back to their loyalty, and employing the power which will thereby accrue to them jointly to regain control of the Federal Government.

It is but a difference of choice among the slaveholders as to the kind of mansion they will inhabit ; whether they will continue to dwell in the old establishment which their fathers built and consecrated to slavery ; or abandoning that to the heathen, erect for themselves a new edifice, pictured in their arid dreams as one which no rude tempest shall assail, nor the winds of heaven visit too roughly ; with foundations of tried steel, pillars of alabaster, halls of precious marble, and pavements of gold.

The slaveholders of the Union party, more practical and less imaginative than their secession brethren, prefer to tarry in the old place, proposing to themselves to convert the latter from the error of their way by convincing them that secession is a mistake ; that Southern independence is a delusion fraught with manifold and terrible woes ; that the safety, the stability, the dignity, the power, the grandeur, and the glory of slavery are all fixed in the Union, and not to be enjoyed out of it ; established in the house which their fathers built ; which is theirs by imprescriptible right ; a glo-

rious inheritance; "the fairest fabric of government ever erected by man."

They appeal to the masses of the South to abandon their present leaders and fly to them, crying out that to follow the Confederate flag along the "perilous edge," and through storm and battle, will lead them to swift destruction; but that to rally to their standard will take them back to the old homestead, where, in the affecting pictures they draw, the pastures are ever green, and the streams ever bright; the skies always blue, and flowers blooming perennial; and here, they tell them, they may forever repose under their own vine and fig-tree, with no one to make them afraid.

Their desire is that we should not be precipitate in moving forward the grand army of the Union; but should hold it up as a gigantic instrument of chastisement *in terrorem* over their erring brethren, allowing ample time before using it for penitence and absolution. Hence we are to infer that the harmless evolutions of dress parade are more to their views than frequent encounters on the field of battle.

Yet they require that our army should be advanced. It must occupy each rebellious State. Our standard must be unfurled, as a rallying point. A center of operations must be secured, from which missionary enterprise shall branch out. To convert the sinning sons of the South back to truth and righteousness, there must be a Jerusalem at each convenient locality, up to which they may come to indicate repentance and be again enrolled in the flock of the immaculate of the house of Israel. And nothing will suffice for such a Jerusalem but a military encampment, with such latter-day saints as McClellan and Banks, and Dix and Halleck, and the like, armed to the teeth and ready for the fray, with sword in one hand and the Constitution in the other, prepared to administer death or the oath of allegiance according to the stubbornness or docility of the subject.

Of course it is a part of the system of operations of these Union gentlemen to do a little in the revolutionary way themselves, whenever such slight irregularity may become necessary to checkmate the leaders of secession. For instance, as in all the rebellious States, the forms of government are in possession of the insurgents, it is part of their plan to arrange State governments of their own. Such machinery is necessary in carrying out the great scheme of salvation in which they are engaged—fealty to which, on the part of the penitent rebel, shall be the test of a return to the faith of the fathers. This has, indeed, already been tried, and found to work to a charm. The Unionists in Western Virginia met at

Wheeling, and voted from among their number Mr. So-and-so for the Legislature, Mr. So-and-so for Governor, Mr. So-and-so for judge, and they having called this the government of the State, it was immediately recognized as such. Whereupon United States senators and members of this House were at once sent up, and promptly admitted; and these gentlemen of Western Virginia will, in 1864, by virtue of this little artful operation, carry about with them in their pockets some fifteen votes of our electoral college to decide who shall be our next President. As this programme is to be carried out in every seceded State, for every State which the "new South," or the new "oligarchy," thus clutch, they will secure two United States senators, besides an indefinite number of members of this House, and votes for President equal to their full Congressional representation. They will have, of course, proportionate delegations in all our nominating conventions.

Wherever such organization is set up, it is expected that the slaveholders will, in large numbers, desert the Confederate banner, and follow that of the Union. An inducement which will attract many, is the opportunity which will be thus presented of entering into the new order of things high in official station. Offices will be obtainable with little difficulty; and ambitious young men, and ambitious men not so young, will rush, it is supposed, to the side of the Union, to enjoy official patronage and prestige; bringing with them all their friends, relatives, debtors, creditors, and other persons interested in their success in life. It is also regarded as highly important that the most liberal promises in favor of slavery shall be given. Jefferson Davis may, in this respect bid high; but if so, Mr. Lincoln must bid against him. A strict observance of all the guarantees of the Constitution must, of course, be stipulated. An amnesty, which shall cover all sins of omission or commission, must be granted to whomsoever shall return to his allegiance, and all such measures be resorted to as shall serve to allay the suspicions, assuage the bitterness, and abate the hostility of the erring children of the South to our common Government, and persuade them again to enjoy its blessings.

By such skillful treatment as is here hinted at, by the military arm in one direction and the dexterous fingers of political artifice in another; by alternate blows and persuasion, blisters and sugar-plums, it is expected that the belligerent will be tamed down; the willful recalled to tractability; the skeptical inspired with faith; and in fine, the whole body of slaveholders firmly planted once more on the side of the Union, the Constitution, and the laws.

The policy of the Administration harmonizes in almost every particular with the object of this class of slaveholders. It offers ample protection to their constitutional rights, and full pardon to secessionists returning to their allegiance. It holds the grand army in abeyance; and recognizing their empty frameworks of State governments, inducts them as *bona fide* into the sacred temple of our sovereignty.

In short, the two bodies seem to be at one table in full communion. Their actions tend unmistakably to the same result, whether they know it or not, and their success will develop a reunion of the slaveholding interest on the platform of the Administration, for the protection of slavery, and against all who oppose it.

In this way the party of slavery will become again the party of the Administration; Mr. Lincoln will become the President of the South, through the agency of the Union, and Jefferson Davis will retire to the shades. The Federal Capitol will once more become the seat of the slave power, the Federal Government its instrument, and the country its subject realm. The old game of a united South against a divided North will be repeated. The party of the Administration will play the *rôle* of the old Democratic party again. The former strife will be renewed; and in the end, however distant, slavery will again be driven to extremities.

I may, however, be permitted at this point to put in a protest against extemporizing State organizations for seceded States, and clothing them with powers to correspond. So far as legal correctness is concerned, this action is as unwarranted as secession itself. It is quite as revolutionary. Indeed, it is, in this respect, upon precisely the same footing with secession. Secession repudiates the Federal authority within a State through State forms and State forces, while this repudiates the State authority through Federal forms and forces. They are both revolutionary. Nor can the plea of necessity be interposed to extenuate it. No necessity exists for anything but for a military occupation in a rebellious State until the rebellion is subdued. And this is precisely what should take place, and nothing else. These skeleton State organizations are nothing but the machinery of political artificers for monopolizing power; and it is a shameful and most pernicious abuse of the Executive trust to recognize them as valid.

A government for the State of Virginia made its appearance last May, and claimed to be entitled to consideration, because, as it was said, the people west of the mountains had instituted it. It received the recognition of the President, which was construed to bind

the other branches of the Government. Since then, however, the people, who were represented as having adopted this, have organized another State government, with a view of being detached from the old State. But under the Federal Constitution this can not be done without the consent of the old State. Nevertheless, the people of Western Virginia having created a government for the whole State, of which the needed recognition was afforded, and having now created their new State of Kanawha, have only to give to the latter, through the former, the necessary assent, to secure the requisite compliance with the terms of the Constitution, and be doubly admitted into the Union—thus becoming invested with the constitutional powers of the old State of Virginia, besides those which will belong to the new State of Kanawha, including, of course, two United States senators for each. I conceive this to be a gross outrage upon the constitutional rights of all the other States.

This process of making States at short-hand may give rise to one of the most gigantic schemes of political jugglery the world ever saw. The war may not be finally closed or the rebels subdued for many years, and yet the vast power pertaining under our Constitution to the seceded States may, in the mean time, be exercised by a very limited number of persons. It is only necessary for the Government to secure a footing at some point within the geographical limits of one of these States to enable a few individuals to acquire the power to which such State is entitled by the Constitution and usages of the land, in Congress, in the election of President, and in all our nominating conventions. To this end, it is only necessary for a stock of ready-made State governments (so to speak) to go along with the army, and for one to be set up wherever a corps may encamp with a seceded State.

I will not say that this is the sort of game which the Unionist slaveholders intend to play, to hasten their control of the Government in advance of the actual conquest of the rebels. And yet is it not mainly as to the superiority of political over military tactics for maintaining power that they differ with their secession brethren? At any rate, this scheme would admit of a most stupendous fraud upon the country; and a public man, who is even decently honest, slaveholder or non-slaveholder, will regard it in this respect with great disfavor.

I will not impeach the motives of the Administration. It is doubtless guided by a sincere desire to do, in all things, what will prove to be for the best interests of the country. But it is, nevertheless, acting upon a most deplorable policy in this respect.

Principles control events; and its principles, in this regard, can not fail to develop another woeful cycle of national contention and disaster, probably more violent, bitter, and fatal than anything in our past history. The very opposite course is the one it ought to pursue. To liberate the Government utterly and forever from slavery should be its first and paramount object. To accomplish this it is only necessary for it to discard an attenuated abstraction, and avail itself of opportunities which God has brought to our very doors. The simple act of changing in practice the relations of the Government, and pursuing the war according to the law and facts of the case, would, in a short time, make the United States as completely free from slavery as Canada, and place the institution at our feet, and under our feet. To recognize the Confederate States for their benefit is no part of our duty; but to shape our policy to accord with events, and enable us to fulfill a high purpose, is what we are imperatively called upon to do. The fiction upon which we are now proceeding binds us to slavery; and hence the national arms, instead of being directed against it, are held where they may at any moment be required to be turned to its defense.

The wish of the masses of our people is to conquer the seceded States to the authority of the Union, and hold them as subject provinces. Whether this will ever be accomplished no one can, of course, confidently foretell; but, in my judgment, until this purpose is avowed, and the war assumes its true character, it is a mere juggle, to be turned this way or that—for slavery or against it—as the varying accidents of the hour may determine.

It is well that the bugbear of disunion has passed away, and can no longer be used to frighten timid souls from their propriety. Every one now sees that there can not be any permanent separation of the States of the South from those of the North; that they are wedded by ties of nature, destined to triumph over all disintegrating and explosive forces.

Should the belligerent sections settle down upon existing bases into separate political communities, the States in the southern section, along the northern line, would speedily become free, and eager to reunite with the North. Such slaves as could escape across the line would do so, and the rest would be conveyed by their owners to the distant South; and as these States became free, they would become antagonistic to their confederates, and reconciled to the old Union; and no obstacle could prevent their return. Thus the southern line of the United States would be brought down to the next tier of slave States, upon which the

same effect would be wrought; and thus the process continued until the national ensign would again float unchallenged on the breezes of the Gulf. This would effect a restoration of the Union on an anti-slavery basis.

So that, even if the present war should cease, a new one would immediately begin. Moral forces would take the place of physical ones; and the anti-slavery editor and lecturer would appear instead of the dragoon and musketeer. The center of abolitionism would, in time, be transferred from Boston to Richmond; and we should see a Virginia "liberator," in the person of some new Garrison, come forth to break the remaining "covenant with death" and "league with hell."

The question may be fairly regarded, however, as in one sense a question of union. Estrangement and war will always exist while slavery survives. The extinction of this evil is the only final end of disunion. The question, therefore, is, whether our Union shall be a real or a pretended one—whether freedom shall be its law and peace its fruit, or slavery its law and war its baleful offspring. A system based on slavery is essentially one of disunion. The war must, therefore, strike for freedom, or its professions about Union are delusive, and its end will be naught but evil.

Should it fail to do so, then let us cast it out as a wickedness and an abomination, and trust the cause of Union to other preservatives—to God's providence rather than to man's imbecility and treachery. War is obnoxious on general principles; and is only sanctified as a means to a noble end. It is a treacherous instrument at best; and in this case there is no little danger that it will turn into a thunderbolt to smite us to the earth, burying beneath the ruins of our constitutional liberty the hopes of mankind.

Eight hundred thousand strong men, in the prime of life, sober and industrious, are abstracted from the laboring population of the country to consume and be a tax upon those who remain to work. The report of the Secretary of the Treasury tells a fearful tale. Nearly two million dollars per day will hardly more than suffice to cover existing expenditures; and in one year and a half our national debt, if the war continues, will amount to the sum of \$900,000,000.

This is the immense sacrifice we are making for freedom and Union; and yet, is it all to be squandered on a subterfuge and a cheat? For one, I shall not vote another dollar or man for the war until it assumes a different standing, and tends directly to an

anti-slavery result. Millions for freedom, but not one cent for slavery!

Sir, we can not afford to despise the opinion of the civilized world in this matter. Our present policy narrows our cause down to an ignoble struggle for mere physical supremacy, and for this the world can have no genuine respect. Our claim of authority, based on a trivial technicality about the proper distinction between a Federal Government and a mere confederacy, amounts to nothing. The human mind has outgrown that superstitious reverence for Government of any kind which makes rebellion a crime *per se*; and right of secession or no right of secession—what the world demands to know in the case is, upon which side does the morality of the question lie? Considered as a bloody and brutal encounter between slaveholders for dominion, it is justly offensive to the enlightened and Christian sentiment of the age. Yet the fate of nations, no less than of individuals, is molded by the actions, and these by the opinions of mankind. So that public opinion is the real sovereign after all, and no policy can be permanently successful which defies or disregards it. The human mind, wherever found, however limited in development, or rude in culture, is essentially logical; the heart, however hardened by selfishness or sin, has a chord to be touched in sympathy with suffering; and the conscience has its “still small voice,” which never dies, to whisper to both heart and understanding of eternal justice. Therefore, in an age of free thought and free expression, the brain and heart and conscience of mankind are the lords who rule the rulers of the world, and no mean attribute of statesmanship is quickness to discern and promptness to interpret and improve the admonitions of this august trinity.

Sad, indeed, will it be if those who, in this auspicious hour, are invested with the responsibility of command, shall continue to lack wisdom to comprehend or virtue to perform their duty. This is the great opportunity which God has vouchsafed to us for our deliverance from that great curse which darkens our past. Let us not prove ourselves unequal to the destiny which it tenders. Oh! let us not attempt to rebuild our empire on foundations of sand; let us rear it on a basis of eternal granite. Let the order of justice, the harmony of God's benignant laws pervade it. And no internal commotions or outward assaults will afterward beset it, against which it may not rise triumphant and enduring.

“Thou vampire Slavery, own that thou art dead.
 * * * * * Yield to us
 The wealth thy spectral fingers can not hold;
 Bless us, and so depart to lie in state,
 Embalmed thy lifeless body, and thy shade
 So clamorous now for bloody holocausts,
 Hallowed to peace by pious festivals.”

Thus may the great Republic, so long perverted and paralyzed by slavery, stand forth, in the words of the Irish orator, “redeemed, regenerated, and disenthralled by the genius of universal emancipation.”

THE WAR FOR THE UNION.

A Lecture by Wendell Phillips, Esq., delivered in New York and Boston, December, 1861.—Revised by the Author.

REPORTED BY ANDREW J. GRAHAM.

LADIES AND GENTLEMEN—It would be impossible for me fitly to thank you for this welcome; you will allow me, therefore, not to attempt it, but to avail myself of your patience to speak to you, as I have been invited to do, upon the war.

I know, ladies and gentlemen, that actions—deeds, not words—are the fitting duty of the hour. Yet, still, cannot think in this day of ours, and it is only by putting thought behind arms that we render them worthy, in any degree, of the civilization of the nineteenth century. [Applause.] Besides, the Government has two thirds of a million of soldiers, and it has ships sufficient for its purpose. The only question seems to be, what the Government is to do with these forces?—in what path, and how far it shall tread? You and I come here to-night, not to criticise, not to find fault with the Cabinet. We come here to recognize the fact, that in moments like these, the statesmanship of the Cabinet is but a pine shingle upon the rapids of Niagara, borne which way the great popular heart and the national purpose direct. It is in vain now, with these scenes about us, in this crisis, to endeavor to create public opinion; too late now to educate twenty million of people. Our object now is to concentrate and to manifest, to make evident and to make intense, the matured purpose of the nation. We are to show the world, if it be indeed so, that democratic institutions are strong enough for such an hour as this. Very terrible as is the conspiracy, momentous as is the peril, Democracy welcomes the struggle, confident that she stands like no delicately-poised throne in the Old World, but, like the pyramid, on its broadest base, able to be patient with national evils—generously patient with the long forbearance of three generations—and strong enough when, after that they reveal themselves in their own inevitable and hideous proportions, to pronounce and execute the unanimous verdict—Death!

Now, gentlemen, it is in such a spirit, with such a purpose, that I come before you to-night to sustain this war. Whence came

this war? You and I need not curiously investigate. While Mr. Everett on one side, and Mr. Sumner on the other, agree, you and I may take for granted the opinion of two such opposite statesmen—the result of the common sense of this side of the water and the other—that slavery is the root of this war. [Applause.] I know some men have loved to trace it to disappointed ambition, to the success of the Republican party, convincing 300,000 nobles at the South, who have hitherto furnished us the most of the Presidents, Generals, Judges, and Ambassadors we needed, that they would have leave to stay at home, and that twenty million of Northerners would take their share in public affairs. I do not think that cause equal to the result. Other men before Jefferson Davis and Gov. Wise have been disappointed of the Presidency. Henry Clay, Daniel Webster, and Stephen A. Douglas were more than once disappointed, and yet who believes that either of these great men could have armed the North to avenge his wrongs? Why, then, should these pigmies of the South be able to do what the giants I have named could never achieve? Simply because there is a radical difference between the two sections, and that difference is slavery. A party victory may have been the *occasion* of this outbreak. So a tea-chest was the occasion of the Revolution, and it went to the bottom of Boston harbor on the night of the 16th of December, 1773; but that tea-chest was not the cause of the Revolution, neither is Jefferson Davis the cause of the rebellion. If you will look upon the map, and notice that every slave State has joined or tried to join the rebellion, and no free State has done so, I think you will not doubt substantially the origin of this convulsion.

Now, ladies and gentlemen, you know me—those of you who know me at all—simply as an Abolitionist. I am proud and glad that you should have known me as such. In the twenty-five years that are gone—I say it with no wish to offend any man before me—but in the quarter of a century that has passed, I could find no place where an American could stand with decent self-respect, except in constant, uncontrollable and loud protest against the sin of his native land. But, ladies and gentlemen, do not imagine that I come here to-night to speak simply and exclusively as an Abolitionist. My interest in this war, simply and exclusively as an Abolitionist, is about as much gone as yours in a novel where the hero has won the lady, and the marriage has been comfortably celebrated in the last chapter. I know the danger of political prophecy—a kaleidoscope of which not even a Yankee can guess

the next combination—but for all that, I venture to offer my opinion, that on this continent the system of domestic slavery has received its death-blow. [Loud and long-continued applause.] Let me tell you why I think so. Leaving out of view war with England, which I do not expect, there are but three paths out of this war. One is, the North conquers; the other is, the South conquers; and the third is, a compromise. Now, if the North conquers, or there be a compromise, one or the other of two things must come—either the old Constitution or a new one. I believe that, so far as the slavery clauses of the Constitution of '89 are concerned, it is dead. It seems to me impossible that the thrifty and painstaking North, after keeping 600,000 men idle for two or three years, at a cost of two million dollars a day; after that flag lowered at Sumter; after Baker, and Lyon, and Ellsworth, and Winthrop, and Putnam, and Wesselhoft have given their lives to quell the rebellion; after our Massachusetts boys, hurrying from plowed field and workshop to save the capital, have been foully murdered on the pavements of Baltimore—I can not believe in a North so lost, so craven, as to put back slavery where it stood on the 4th of March last. [Cheers.] But if there be reconstruction without those slave clauses, then in a little while, longer or shorter, slavery dies—indeed, on any other basis but the basis of '89, she has nothing else now to do but to die. On the contrary, if the South—no, I can not say conquers—my lips will not form that word—but if she balks us of victory, the only way she can do it is to write Emancipation on her own banner, and thus bribe the friends of liberty in Europe to allow its aristocrats and traders to divide the majestic Republic whose growth and trade they fear and envy. Either way the slave goes free. Unless England flings her fleets along the coast, the South can never spring into separate existence, except from the basis of negro freedom; and I, for one, can not yet believe that the North will consent again to share his chains. Exclusively, as an Abolitionist, therefore, I have little more interest in this war than the frontiersman's wife had in his struggle with the bear, when she didn't care which whipped. But before I leave the Abolitionists, let me say one word. Some men say we are the cause of this war. Gentlemen, you do us too much honor! If it be so, we have reason to be proud of it; for in my heart, as an American, I believe this year the most glorious of the Republic since '76. The North, craven and contented until now, like Mammon, saw nothing even in heaven but the golden pave-

ment; to-day she throws off her chains. We have a North, as Daniel Webster said. This is no epoch for nations to blush at. England might blush in 1620, when Englishmen trembled at a fool's frown, and were silent when James forbade them to think; but not in 1649, when an outraged people cut off his son's head. Massachusetts might have blushed a year or two ago, when an insolent Virginian, standing on Bunker Hill, insulted the Commonwealth, and then dragged her citizens to Washington to tell what they knew about John Brown; but she has no reason to blush to-day, when she holds that same impudent Senator an acknowledged felon in her prison fort. In my view, the bloodiest war ever waged is infinitely better than the happiest slavery that ever fattened men into obedience. And yet I love peace. But it is real peace; not peace such as we have had; not peace that meant lynch law in the Carolinas and mob law in New York; not peace that meant chains around Boston Court-House, a gag on the lips of statesmen, and the slave sobbing himself to sleep in curses. No more such peace for me; no peace that is not born of justice, and does not recognize the rights of every race and every man.

Some men say they would view this war as white men. I condescend to no such narrowness. I view it as an American citizen, proud to be the citizen of an empire that knows neither black nor white, neither Saxon nor Indian, but holds an equal scepter over all. [Loud cheers.] If I am to love my country, it must be lovable; if I am to honor it, it must be worthy of respect. What is the function God gives us—what is the breadth of responsibility he lays upon us? An empire, the home of every race, every creed, every tongue, to whose citizens is committed, if not the only, then the grandest system of pure self-government. De Tocqueville tells us that all nations and all ages tend with inevitable certainty to this result, but he points out, as history does, this land as the normal school of the nations, set by God to try the experiment of popular education and popular government, to remove the obstacles, point out the dangers, find the best way, encourage the timid, and hasten the world's progress. Let us see to it, that with such a crisis and such a past, neither the ignorance, nor the heedlessness, nor the cowardice of Americans forfeits this high honor, won for us by the toils of two generations, given to us by the blessing of Providence. It is as a citizen of the leading State of this Western Continent, vast in territory, and yet its territory nothing when compared with the grandeur of its past and the majesty of its

future—it is as such a citizen that I wish, for one, to find out my duty, express as an individual my opinion, and aid thereby the Cabinet in doing its duty under such responsibility. It does not lie in one man to ruin us, nor in one man to save us, nor in a dozen. It lies in the twenty million, in the thirty million, of thirty-four States.

Now, how do we stand? In a war—not only that, but a terrific war—not a war sprung from the caprice of a woman, the spite of a priest, the flickering ambition of a prince, as wars usually have; but a war inevitable; in one sense, nobody's fault; the inevitable result of past training, the conflict of ideas, millions of people grappling each other's throats, every soldier in each camp certain that he is fighting for an idea that holds the salvation of the world—every drop of his blood in earnest. Such a war finds no parallel nearer than that of the Catholic and the Huguenot of France, or than that of Aristocrat and Republican in 1790, or of Cromwell and the Irish, when victory meant extermination. Such is our war. I look upon it as the commencement of the great struggle between the hidden aristocracy and the democracy of America. You are to say to-day whether it shall last ten years or seventy, as it usually has done. It resembles closely that struggle between aristocrat and democrat which began in France in 1790, and continues still. While it lasts, it will have the same effect on the nation as that war between blind loyalty, represented by the Stuart family, and the free spirit of the English Constitution, which lasted from 1660 to 1760, and made England a second-rate power almost all that century.

Such is the era on which you are entering. I will not speak of war in itself—I have no time; I will not say with Napoleon that it is the practice of barbarians; I will not say that it is good. It is better than the past. A thing may be *better*, and yet not *good*. This war is better than the past, but there is not an element of good in it. I mean, there is nothing in it that we might not have gotten better, fuller, and more perfectly in other ways. And yet it is better than the craven past, infinitely better than a peace which had pride for its father and subserviency for its mother. Neither will I speak of the cost of war, although you know that we never shall get out of this one without a debt of at least two or three thousand million of dollars. For, if the prevalent theory prove correct, and the country comes together again on anything like the old basis, we pay Jeff Davis' debts as well as our own.

Neither will I remind you that debt is the fatal disease of republics, the first thing and the mightiest to undermine government and corrupt the people. The great debt of England has kept her back in civil progress at least a hundred years. Neither will I remind you that when we go out of this war, we go out with an immense disbanded army, an intense military spirit embodied in two thirds of a million of soldiers, the fruitful, the inevitable source of fresh debts and new wars: I pass by all that; yet lying within those causes are things enough to make the most sanguine friends of free institutions tremble for our future. I pass those by. But let me remind you of another tendency of the time. You know, for instance, that the writ of *habeas corpus*, by which government is bound to render a reason to the judiciary before it lays its hands upon a citizen, has been called the high-water mark of English liberty. Jefferson, in his calm moments, dreaded the power to suspend it in any emergency whatever, and wished to have it in "eternal and unremitting force." The present Napoleon, in his treatise on the English Constitution, calls it the gem of English institutions. Lieber says that *habeas corpus*, free meetings like this, and a free press, are the three elements which distinguish liberty from despotism. All that Saxon blood has gained in the battles and toils of two hundred years are these three things. But to-day, Mr. Chairman, every one of them—*habeas corpus*, the right of free meeting, and a free press—is annihilated in every square mile of the Republic. We live to-day, every one of us, under martial law. The Secretary of State puts into his bastille, with a warrant as irresponsible as that of Louis, any man whom he pleases. And you know that neither press nor lips may venture to arraign the Government without being silenced. At this moment one thousand men, at least, are "bastiled" by an authority as despotic as that of Louis—three times as many as Eldon and George III. seized when they trembled for his throne. Mark me, I am not complaining. I do not say it is not necessary. It is necessary to do anything to save the ship. [Applause.] It is necessary to throw everything overboard in order that we may float. It is a mere question whether you prefer the despotism of Washington or that of Richmond. I prefer that of Washington. [Loud applause.] But, nevertheless, I point out to you this tendency because it is momentous in its significance. We are tending with rapid strides, you say *inevitably*—I do not deny it; *necessarily*—I do not question it; we are tending toward that

strong government which frightened Jefferson; toward that unlimited debt, that endless army. We have already those alien and sedition laws which, in 1798, wrecked the Federal party, and summoned the Democratic into existence. For the first time on this continent, we have passports, which even Louis Napoleon pronounces useless and odious. For the first time in our history, government spies frequent our great cities. And this model of a strong government, if you reconstruct it on the old basis, is to be handed into the keeping of whom? If you compromise it by reconstruction, to whom are you to give these delicate and grave powers? To compromisers. Reconstruct this Government, and for twenty years you can never elect a Republican. Presidents must be so wholly without character or principle, that two angry parties, each hopeless of success, contemptuously tolerate them as neutrals. Now, I am not exaggerating the moment. I can parallel it entirely. It is the same position that England held in the times of Eldon and Fox, when Holcroft and Montgomery, the poet, Horne Tooke and Frost and Hardy went into dungeons, under laws that Pitt executed and Burke praised—times when Fox said he despaired of English liberty but for the power of insurrection—times which Sydney Smith said he remembered, when no man was entitled to an opinion who had not £3,000 a year. Why! there is no right—do I exaggerate when I say that there is no single right—that government is scrupulous and finds itself able to protect, except the pretended right of a man to his slaves! Every other right has fallen now before the necessities of the hour.

Understand me, I do not complain of this state of things; but it is momentous. I only ask you that out of this peril you be sure to get something worthy of the crisis through which you have passed. No government of free make could stand three such trials as this. I only paint you the picture, in order, like Hotspur, to say, "Out of this nettle, danger, be you right eminently sure that you pluck the flower, safety." [Applause.] Standing in such a crisis, certainly it commands us that we should endeavor to find the root of the difficulty, and that now, once for all, we should put it beyond the possibility of troubling our peace again. We can not afford, as Republicans, to run that risk. The vessel of state—her timbers are strained beyond almost the possibility of surviving. The tempest is one which it demands the wariest pilot to outlive. We can not afford, thus warned, to omit anything which can save this ship of state from a second danger of the kind.

Well, what shall we do? The answer to that question comes partly from what we think has been the cause of this convulsion. Some men think—some of your editors think—many of ours, too—that this war is nothing but the disappointment of one or two thousand angered politicians, who have persuaded eight million of Southerners, against their convictions, to take up arms and rush to the battle-field—no great compliment to Southern sense. [Laughter.] They think that if the Federal army could only appear in the midst of this demented mass, the eight million will find out for the first time in their lives that they have got souls of their own, tell us so, and then we shall all be piloted back, float back, drift back into the good old times of Franklin Pierce and James Buchanan. [Laughter.] Well, there is a measure of truth in that. I believe that if a year ago, when the thing first showed itself, Jefferson Davis, and Toombs, and Keitt, and Wise, and the rest, had been hung for traitors at Washington, and a couple of frigates anchored at Charleston, another couple in Savannah, and half a dozen in New Orleans, with orders to shell those cities on the first note of resistance, there never would have been this outbreak—[applause]—or it would have been postponed at least a dozen years; and if that interval had been used to get rid of slavery, we never should have heard of the convulsion. But you know we had nothing of the kind, and the consequence is, what? Why, the bewildered North has been summoned by every defeat, and every success, from its workshops and its factories, to gaze with half-opened eyes at the lurid heavens, until at last, divided, bewildered, confounded, as this 20,000,000 were, we have all of us fused into one idea, that the Union meant Justice—shall mean Justice—owns down to the Gulf, and we will have it. [Applause.] Well, what has taken place meanwhile at the South? Why, the same thing. The divided, bewildered South has been summoned also out of her divisions by every success and every defeat (and she has had more of the first than we have), and the consequence is that she, too, is fused into a swelling sea of state pride, Northern hate—

“Unconquerable will,
And study of revenge, immortal hate,
And courage never to submit nor yield.”

She is in earnest, every man, and she is as unanimous as the Colonies were in the Revolution. In fact, the South recognizes more intelligibly than we do the necessities of her position. I do not consider this a secession. It is no secession. I agree with Bishop—

General Polk—it is a conspiracy, not a secession. There is no wish, no intention to go peaceably and permanently off. It is a conspiracy to make the Government do the will and accept the policy of the slaveholders. Its root is at the South, but it has many a branch in Wall Street and in State Street. [Cheers.] It is a conspiracy, and on the one side is every man who still thinks that he that steals his brother is a gentleman, and he that makes his living is not. [Applause.] It is the aristocratic element which survived the Constitution, which our fathers thought could be left under it, and the South to-day is forced into this war by the natural growth of the antagonistic principle. You may pledge whatever submission and patience of Southern institutions you please, it is not enough. South Carolina said to Massachusetts, in 1835, when Edward Everett was Governor, “Abolish free speech—it is a nuisance.” She is right—from her stand-point it is. [Laughter.] That is, it is not possible to preserve the quiet of South Carolina consistently with free speech; but you know the story Sir Walter Scott told of the Scotch laird, who said to his old butler, “Jock, you and I can’t live under this roof.” “And where does your honor think of going?” So free speech says to South Carolina to-day. Now I say you may pledge, compromise, guarantee what you please. The South knows it is not your purpose—it is your character that she dreads. It is the nature of Northern institutions, the perilous freedom of discussion, the flavor of our ideas, the sight of our growth, the very neighborhood of such States, that constitutes the danger. It is like the two vases launched on the stormy sea. The iron said to the crockery, “I wont come near you.” “Thank you,” said the weaker vessel; “there is as much danger in my coming near you.” This the South feels; hence her determination; hence, indeed, the imperious necessity that she should rule and shape our Government, or of sailing out of it. I do not mean that she plans to take possession of the North, and choose our Northern mayors, though she has done that in Boston for the last dozen years, and here till this fall. But she conspires and aims to control just so much of our policy, trade, offices, presses, pulpits, cities, as is sufficient to insure the undisturbed existence of slavery. She conspires with the full intent so to mold this Government as to keep it what it has been for thirty years, according to John Quincy Adams—a plot for the extension and perpetuation of slavery. As the world advances, fresh guarantees are demanded. The nineteenth century requires sterner gags than the eight-

eenth. Often as the peace of Virginia is in danger, you must be willing that a Virginia Mason shall drag your citizens to Washington, and imprison them at his pleasure. So long as Carolina needs it, you must submit that your ships be searched for dangerous passengers, and every Northern man lynched. No more Kansas rebellions. It is a conflict between the two powers, Aristocracy and Democracy, *which shall hold this belt of the continent*. You may live here, New York men, but it must be in submission to such rules as the quiet of Carolina requires. That is the meaning of the oft-repeated threat to call the roll of one's slaves on Bunker Hill, and dictate peace in Faneuil Hall. Now, in that fight, I go for the North—for the Union.

In order to make out this theory of "irrepressible conflict," it is not necessary to suppose that every Southerner hates every Northerner (as the *Atlantic* urges). But this much is true, some 300,000 slaveholders at the South, holding two thousand million of so-called property in their hands, controlling the blacks, and befooling the seven million of poor whites into being their tools, into believing their interest is opposed to ours—this order of nobles, this privileged class, has been able for forty years to keep the Government in dread, dictate terms by threatening disunion, bring us to its verge at least twice, and now almost to break the Union in pieces. A power thus consolidated, which has existed seventy years, setting up and pulling down parties, controlling the policy of the Government, and changing our religion, and is emboldened by uniform success, will not burst like a bubble in an hour. For all practical purposes, it is safe to speak of it as the South; no other South exists, or will exist, till our policy develops it into being. This is what I mean. An aristocracy rooted in wealth, with its network spread over all social life, its poison penetrating every fiber of society, is the hardest possible evil to destroy. Its one influence, FASHION, is often able to mock at Religion, Trade, Literature, and Politics combined. One half the reason why Washington has been and is in peril—why every move is revealed and checkmated—is that your President is unfashionable, and Mrs. Jefferson Davis is not. Unseen chains are sometimes stronger than those of iron and heavier than those of gold.

It is not in the plots, it is in the inevitable character of the Northern States that the South sees her danger. And the struggle is between these two ideas. Our fathers, as I said, thought they could be left, one to outgrow the other. They took gunpowder

and a lighted match, forced them into a stalwart cannon, screwed down the muzzle, and thought they could secure peace. But it has resulted differently, their cannon has exploded, and we stand among fragments.

Now some Republicans and some Democrats—not Butler, and Bryant, and Cochrane, and Cameron, not Boutwell, and Bancroft, and Dickinson, and others—but the old set—the old set say to the Republicans, “Lay the pieces carefully together in their places; put the gunpowder and the match in again, say the Constitution backward instead of your prayers, and there will never be another rebellion!” Now I doubt it. It seems to me that like causes will produce like effects. If the reason of the war is because we are two nations, then the cure must be to make us one nation, to remove that cause which divides us, to make our institutions homogeneous. If it were possible to subjugate the South and leave slavery where it is, where is the security that we should not have another war in ten years? Indeed, such a course invites another war, whenever demagogues please. I believe the policy of reconstruction is impossible. And if it were possible, it would be the greatest mistake that Northern men could commit. [Cheers.] I will not stop to remind you that, standing as we do to-day, with the full constitutional right to abolish slavery—a right Southern treason has just given us—a right, the use of which is enjoined by the sternest necessity—if, after that, the North goes back to the Constitution of '89, she assumes, a second time, afresh, unnecessarily, a criminal responsibility for slavery. Hereafter no old excuse will avail us. A second time, with open eyes, against our highest interest, we clasp bloody hands with tyrants to uphold an acknowledged sin, whose fell evil we have fully proved.

But that aside, peace with an unchanged Constitution would leave us to stand like Mexico. States married, not matched; chained together, not melted into one; foreign nations aware of our hostility, and interfering to embroil, rob, and control us. We should be what Greece was under the intrigues of Philip, and Germany when Louis XIV. was in fact her dictator. We may see our likeness in Austria, every fretful province an addition of weakness; in Italy, twenty years ago, a leash of angry hounds. A Union with unwilling and subjugated States, smarting with defeat, and yet holding the powerful and dangerous element of slavery in it, and an army disbanded into laborers, food for constant disturbance, would be a standing invitation to France and England to in-

sult and dictate, to thwart our policy, demand changes in our laws, and trample on us continually.

Reconstruction is but another name for the submission of the North. It is her subjection under a mask. It is nothing but the confession of defeat. Every merchant, in such a case, puts everything he has at the bidding of Wigfall and Toombs in every cross-road bar-room at the South. For, you see, never till now did anybody but a few Abolitionists believe that this nation could be marshaled one section against the other in arms. But the secret is out. The weak point is discovered. Why does the London press lecture us like a schoolmaster his seven-years-old boy? Why does England use a tone such as she has not used for half a century to any power? Because she knows us as she knows Mexico, as all Europe knows Austria—that we have the cancer concealed in our very vitals. Slavery, left where it is, after having created such a war as this, would leave our commerce and all our foreign relations at the mercy of any Keitt, Wigfall, Wise, or Toombs. Any demagogue has only to stir up a pro-slavery crusade, point back to the safe experiment of 1861, and lash the passions of the aristocrats to cover the sea with privateers, put in jeopardy the trade of twenty States, plunge the country into millions of debt, send our stocks down fifty per cent., and cost thousands of lives. Reconstruction is but making chronic what now is transient. What that is, this week shows. What that is, we learn from the tone England dares to assume toward this divided republic. I do not believe reconstruction possible. I do not believe the Cabinet intend it. True, I should care little if they did, since I believe the administration can no more resist the progress of events than a spear of grass can retard the step of an avalanche. But if they do, allow me to say, for one, that every dollar spent in this war is worse than wasted, every life lost is a public murder, and that any statesman who leads these States back to reconstruction will be damned to an infamy compared with which Arnold was a saint, and James Buchanan a public benefactor. [Slight disturbance in the rear part of the hall, cries of "Put him out!" etc.] I said reconstruction is not possible. I do not believe it is, for this reason: the moment these States begin to appear victorious, the moment our armies do anything that evinces final success, the wily statesmanship and unconquerable hate of the South will write "Emancipation" on her banner, and welcome the protectorate of a European power. And if you read the European papers of to-day, you need not doubt that

they will have it. Intelligent men agree that the North stands better with Palmerston for minister than she would with any minister likely to succeed him. And who is Palmerston? While he was Foreign Secretary, from 1848 to '51, the British press ridiculed every effort of the French Republicans—sneered at Cavaignac and Ledru Rollin, Lamartine and Hugo—while they cheered Napoleon on to his usurpation; and Lord Normanby, then minister at Paris, early in December, while Napoleon's hand was still wet with the best blood of France, congratulated the despot on his victory over the Reds, applying to the friends of Liberty the worst epithet that an Englishman knows. This last outrage lost Palmerston his place; but he rules to-day—though rebuked, not changed.

The value of the English news this week is the indication of the nation's mind. No one doubts now, that should the South emancipate, England would make haste to recognize and help her. In ordinary times the Government and aristocracy of England dread American example. They may well admire and envy the strength of our Government, when, instead of England's impressment and pinched levies, patriotism marshals six hundred thousand *volunteers* in six months. The English merchant is jealous of our growth; only the liberal middle classes really sympathize with us. When the two other classes are divided, this middle class rules. But now, Herod and Pilate are agreed. The aristocrat, who usually despises a trader, whether of Manchester or Liverpool, as the South does a negro, now is secessionist from sympathy, as the trader is from interest. Such a union no middle class can checkmate. The only danger of war with England is, that as soon as England declared war with us, she would recognize the Southern Confederacy immediately, just as she stands, slavery and all, as a military measure. As such, in the heat of passion, in the smoke of war, the English people, all of them, would allow such a recognition even of a slaveholding empire. War with England insures disunion. When England declares war, she gives slavery a fresh lease of fifty years. Even if we have no war with England, let another eight or ten months be as little successful as the last, and Europe will acknowledge the Southern Confederacy, slavery and all, as a matter of course. Further, any approach toward victory on our part, without freeing the slave, gives him free to Davis. So far, the South is sure to succeed, either by victory or defeat, unless we anticipate her. Indeed, the only way, the only sure way, to break

this Union, is to try to save it by protecting slavery. "Every moment lost," as Napoleon said, "is an opportunity for misfortune." Unless we emancipate the slave, we shall never conquer the South without her trying emancipation. Every Southerner, from Toombs up to Fremont, has acknowledged it. Do you suppose that Davis and Beauregard, and the rest, mean to be exiles, wandering condemned in every great city of Europe, in order that they may maintain slavery and the Constitution of '89? They, like ourselves, will throw everything overboard before they will submit to defeat—defeat from Yankees. I do not believe, therefore, that reconciliation is possible, nor do I believe the Cabinet have any such hopes. Indeed, I do not know where you will find the evidence of *any* purpose in the administration at Washington. [Hisses, cheers, and laughter.] If we look to the West, if we look to the Potomac, what is the policy? If, on the Potomac, with the aid of twenty governors, you assemble an army, and do nothing but return fugitive slaves, that proves you competent and efficient. If, on the banks of the Mississippi, unaided, the magic of your presence summons an army into existence, and you drive your enemy before you a hundred miles farther than your second in command thought it possible for you to advance, that proves you incompetent, and entitles your second in command to succeed you. [Tremendous applause, and three cheers for Fremont!]

Looking in another direction, you see the Government announcing a policy in South Carolina. What is it? Well, Mr. Secretary Cameron says to the General in command there, "You are to welcome into your camp all comers; you are to organize them into squads and companies; use them any way you please—but there is to be no general arming." That is a very significant exception. You recollect in Charles Reade's novel, "Never too Late to Mend" (a very good motto), the heroine flies away to hide from the hero, announcing that she never shall see him again. Her letter says, "I will never see you again, Edward. You, of course, won't come to see me at Mrs. Young's, at No. 126 Bond Street—[laughter]—between eleven in the morning and four in the afternoon, because I shan't see you." [Laughter.] So Mr. Cameron says there is to be no general arming, but I suppose there is to be a very particular arming. [Laughter.] But he goes on to add: "This is no greater interference with the institutions of South Carolina than is necessary—than the war will cure." Does he mean he will give the slaves back when the war is over? I don't know. All I know is,

that the Port Royal expedition proved one thing—it laid forever that ghost of an argument, that the blacks loved their masters—it settled forever the question whether the blacks were with us or with the South. My opinion is, that the blacks are the key of our position. [A VOICE—"That is it."] He that gets them wins, and he that loses them goes to the wall. [Applause.] Port Royal settled one thing—the blacks are with us, and not with the South. At present they are the only Unionists. I know nothing more touching in history, nothing that art will immortalize and poetry dwell upon more fondly—I know no tribute to the stars and stripes more impressive than that incident of the blacks coming to the water side with their little bundles, in that simple faith which had endured through the long night of so many bitter years. They preferred to be shot rather than be driven from the sight of that banner they had so long prayed to see. And if that was the result when nothing but Gen. Sherman's equivocal proclamation was landed on the Carolinas, what should we have seen, if there had been 18,000 veterans with Fremont, the statesman soldier of this war, at their head—[loud applause]—and over them the stars and stripes, gorgeous with the motto, "Freedom for all! freedom forever?" If that had gone before them, in my opinion they would have marched across the Carolinas, and joined Brownlow in East Tennessee. [Applause.] The bulwark on each side of them would have been 100,000 grateful blacks; they would have cut this rebellion in halves, and while our fleets fired salutes across New Orleans, Beauregard would have been ground to powder between the upper millstone of McClellan, and the lower of a quarter million of blacks rising to greet the stars and stripes. [Great cheering.] McClellan may drill a better army—more perfect soldiers. He will never marshal a stronger force than those grateful thousands. That is the way to save insurrection. He is an enemy to civil liberty, the worst enemy to his own land, who asks for such delay or perversion of Government policy as is sure to result in insurrection. Our duty is to save these four millions of blacks from their own passions, from their own confusion, and eight million of whites from the consequences of it—["Hear, hear!"]—and in order to do it, we nineteen million of educated, Christian Americans are not to wait for the will or the wisdom of a single man—we are not to wait for Fremont or McClellan—the Government is our dictator. It might do for Rome, a herd of beggars and soldiers, kept quiet only by the weight of despotism—it might do

for Rome, in moments of danger, to hurl all responsibility into the hands of a dictator. But for us, educated, thoughtful men, with institutions modeled and matured by the experience of two hundred years—it is not for us to evade responsibility by deferring to a single man. I demand of the Government a policy. I demand of the Government to show the doubting infidels of Europe that Democracy is not only strong enough for the trial, but that she breeds men with brains large enough to comprehend the hour, and wills hot enough to fuse the purpose of nineteen million of people into one decisive blow for safety and for Union. [Cheers.] You will ask me how it is to be done. I would have it done by Congress. We have the power.

When Congress declares war, says John Quincy Adams, Congress has all the powers incident to carrying on war.* It is not an unconstitutional power—it is a power conferred by the Constitution—but the moment it comes into play it rises beyond the limit of constitutional checks. I know it is a grave power, this trusting the Government with despotism. But what is the use of government, except just to help us in critical times? All the checks and ingenuity of our institutions are arranged to secure for us men wise and able enough to be trusted with grave powers—bold enough to use them when the times require. Lancets and knives are dangerous instruments. The use of surgeons is, that when lancets are needed somebody may know how to use them, and save

* "Sir, in the authority given to Congress by the Constitution of the United States to *declare war*, ALL THE POWERS INCIDENTAL TO WAR are, by necessary implication, conferred upon the GOVERNMENT of the United States. . . . There are two classes of powers vested by the Constitution of the United States in their Congress and Executive government: the powers to be executed in time of peace, and the powers incident to war. That the powers of peace are limited by provisions within the body of the Constitution itself; but that the powers of war are limited and regulated only by the laws and usages of nations, and are subject to no other limitation. . . . I do not admit that there is, *even among the peace powers of Congress*, no such authority; but IN WAR, there are many ways by which CONGRESS NOT ONLY HAVE THE AUTHORITY, BUT ARE BOUND TO INTERFERE WITH THE INSTITUTION OF SLAVERY IN THE STATES. . . . When the Southern States are the battlefield between Slavery and Emancipation, Congress may sustain the institution by war, or perhaps ABOLISH IT BY treaties of peace; and they will not only possess the constitutional power so to interfere, but THEY WILL BE BOUND IN DUTY TO DO IT, by the express provisions of the Constitution itself. From the instant the slaveholding States become the theater of a war, *civil, servile, or foreign*, from that instant the war powers of Congress extend to interference with the institution of slavery in EVERY WAY BY WHICH IT CAN BE INTERFERED WITH. . . . With a call to keep down slaves, in an insurrection and a civil war, comes a full and plenary power to *this House* and to the Senate over the whole subject. It is a war power. Whether it be a war of invasion or a war of insurrection, Congress has power to carry on the war, and must carry it on, according to the laws of war; and by the laws of war an invaded country has all its laws and municipal institutions swept by the board, and martial law takes the place of them. This power in Congress has, perhaps, never been called into exercise under the present Constitution of the United States."—*Speeches of John Quincy Adams in the U. S. House of Representatives, 1836-1842.*

life. One great merit of democratic institutions is, that resting, as they must, on educated masses, the Government may safely be trusted, in a great emergency, with despotic power, without fear of harm, or of wrecking the state. No other form of government can venture such confidence without risk of national ruin. Doubtless the war power is a very grave power; so are some ordinary peace powers. I will not cite extreme cases, Louisiana and Texas. We obtained the first by Treaty, the second by Joint Resolutions; each case an exercise of power as grave and despotic as the abolition of slavery would be, and, unlike that, plainly unconstitutional; one which nothing but stern necessity and subsequent acquiescence by the nation could make valid. Let me remind you that seventy years' practice has incorporated it as a principle in our constitutional law, that what the necessity of the hour demands and continued assent of the people ratifies is law. Slavery has established that rule. We might surely use it in the cause of justice. But I will cite an unquestionable precedent. It was a grave power, in 1807, in time of peace, when Congress abolished commerce; when, by the embargo of Jefferson, no ship could quit New York or Boston, and Congress set no limit to the prohibition. It annihilated commerce. New England asked, "Is it constitutional?" The Supreme Court said, "Yes." New England sat down and obeyed. Her wharves were worthless, her ships rotted, her merchants beggared. She asked no compensation. The powers of Congress carried bankruptcy from New Haven to Portland; but the Supreme Court said, "It is legal," and New England bowed her head. We commend the same cup to the Carolinas to-day. We say to them that, in order to save the Government, there resides somewhere despotism. It is in the war powers of Congress. That despotism can change the social arrangements of the Southern States, and has a right to do it. Every man of you who speaks of the emancipation of the negroes, allows it would be decisive if it were used. You allow that, when it is a military necessity, we may use it. What I claim is, in honor of our institutions, that we are not put to wait for the wisdom or the courage of a General. Our fathers left us with no such miserable plan of government. They gave us a government with the power, in such times as these of doing something that would save the helm of state in the hands of its citizens. [Cheers.] We could cede the Carolinas; I have sometimes wished we could shovel them into the Atlantic. [Applause and laughter.] We can cede a State. We can do anything

for the time being; and no theory of government can deny its power to make the most unlimited change. The only alternative is this: Do you prefer the despotism of your own citizens or of foreigners? That is the only question in war. [Cheers.]

Now, this Government, which abolishes my right of *habeas corpus*—which strikes down, because it is necessary, every Saxon bulwark of liberty—which proclaims martial law, and holds every dollar and every man at the will of the Cabinet—do you turn round and tell me that this same Government has no power to stretch its hands across the Potomac, and root up the evil which, for seventy years, has troubled its peace, and now culminates in rebellion? I maintain, therefore, the power of the Government itself to inaugurate a policy; and I say, in order to save the Union, do justice to the black. [Applause.]

I would claim of Congress—in the exact language of Adams, of the “*Government*”—a solemn act abolishing slavery throughout the Union, securing compensation to loyal slaveholders. As the Constitution forbids the States to make and allow nobles, I would now, by equal authority, forbid them to make slaves or allow slaveholders.

This has been the usual course at such times. Nations, convulsed and broken by two powerful elements or institutions, have used the first moment of assured power—the first moment that they clearly saw and fully appreciated the evil—to cut up the dangerous tree by the roots. So France expelled the Jesuits, and the Middle Ages the Templars. So England, in her great rebellion, abolished Nobility and the Established Church; and the French Revolution did the same, and finally gave to each child an equal share in his deceased father’s lands. For the same purpose, England, in 1745, abolished clanship in Scotland, the root of the Stuart faction; and we, in ’76, nobles and all tenure of estates savoring of privileged classes. Such a measure supplies the South just what she needs—capital. That sum which the North gives the loyal slaveholder, not as acknowledging his property in the slave, but a measure of conciliation—perhaps an acknowledgment of its share of the guilt—will call mills, ships, agriculture into being. The free negro will redeem to use lands never touched, whose fertility laughs Illinois to scorn, and finds no rival but Egypt. And remember, besides, as Montesquieu says, “The yield of land depends less on its fertility than on the freedom of its inhabitants.” Such a measure binds the negro to us by the indissoluble tie of gratitude—the loyal slave-

holder by strong self-interest—our bonds are all his property—the other whites, by prosperity, they are lifted in the scale of civilization and activity, educated and enriched. Our institutions are then homogeneous. We grapple the Union together with hooks of steel—make it as lasting as the granite that underlies the continent.

People may say this is a strange language for me—a Disunionist. Well, I was a Disunionist, sincerely, for twenty years. I did hate the Union, when Union meant lies in the pulpit and mobs in the street, when Union meant making white men hypocrites and black men slaves. [Cheers.] I did prefer purity to peace—I acknowledge it. The child of six generations of Puritans, knowing well the value of union, I did prefer disunion to being the accomplice of tyrants. But now, when I see what the Union must mean in order to last—when I see that you can not have union without meaning justice—and when I see twenty millions of people, with a current as swift and as inevitable as Niagara, determined that this Union shall mean justice, why should I object to it? I endeavored honestly, and am not ashamed of it, to take nineteen States out of this Union, and consecrate them to liberty, and twenty millions of people answer me back, “We like your motto, only we mean to keep thirty-four States under it.” Do you suppose I am not Yankee enough to buy union when I can have it at a fair price? I know the value of union; and the reason why I claim that Carolina has no right to secede is this: we are not a partnership, we are a marriage, and we have done a great many things since we were married in 1789 which render it unjust for a State to exercise the right of revolution on any ground now alleged. I admit the right. I acknowledge the great principles of the Declaration of Independence, that a State exists for the liberty and happiness of the people, that these are the ends of government, and that when government ceases to promote those ends, the people have a right to remodel their institutions. I acknowledge the right of revolution in South Carolina, but at the same time I acknowledge that right of revolution only when Government has ceased to promote those ends. Now we have been married for seventy years. We have bought Florida. We rounded the Union to the Gulf. We bought the Mississippi for commercial purposes. We bought Texas for slave purposes. Great commercial interests, great interests of peace have been subserved by rounding the Union into a perfect shape; and the money and sacrifices of two generations have been given for this purpose. To break up that Union now is to defraud

us of mutual advantages relating to peace, trade, national security, which can not survive disunion. The right of revolution is not matter of caprice. "Governments long established," says our Declaration of Independence, "are not to be changed for light and transient causes." When so many important interests and benefits, in their nature indivisible and which disunion destroys, have been secured by common toils and cost, the South must vindicate her revolution by showing that our Government has become destructive of its proper ends, else the right of revolution does not exist. Why did we buy Texas? Why have we allowed the South to strengthen herself? Because she said that slavery within the girdle of the Constitution would die out through the influence of natural principles. She said: "We acknowledge it to be an evil; but at the same time it will end by the spread of free principles and the influence of free institutions." And the North said: "Yes; we will give you privileges on that account, and we will return your slaves for you." Every slave sent back from a Northern State is a fresh oath of the South that she would not secede. Our fathers trusted to the promise that this race should be left under the influence of the Union, until, in the maturity of time, the day should arrive when they would be lifted into the sunlight of God's equality. I claim it of South Carolina. By virtue of that pledge she took Boston, and put a rope round her neck in that infamous compromise which consigned to slavery Anthony Burns. I demand the fulfillment on her part even of that infamous pledge. Until South Carolina allows me all the influence that nineteen millions of Yankee lips, asking infinite questions, have upon the welfare of those four million of bondsmen, I deny her right to secede. [Applause.] Seventy years has the Union postponed the negro. For seventy years has he been beguiled with the promise, as she erected one bulwark after another around slavery, that he should have the influence of our common institutions. I claim it to-day. Never, with my consent, while the North thinks that the Union can or shall mean justice, shall those 400,000 South Carolina slaves go beyond the influence of Boston ideas. That is my strong reason for clinging to the Union. This is also one main reason why, unless upon most *imperative* and *manifest* grounds of need and right, South Carolina has no right of revolution; none till she fulfills her promise in this respect.

I know how we stand to-day, with the frowning cannon of the English fleet ready to be thrust out of the port-holes against us.

But I can answer England with a better answer than William H. Seward can write. I can answer her with a more statesmanlike paper than Simon Cameron can indite. I would answer her with the stars and stripes floating over Charleston and New Orleans, and the itinerant Cabinet of Richmond packing up archives and wearing apparel to ride back to Montgomery. There is one thing, and only one, that John Bull respects, and that is success. It is not for us to give counsel to the Government on points of diplomatic propriety; but I suppose we may express our opinion, and my opinion is, that if I were the President of these thirty-four States, while I was, I should want Mason and Slidell to stay with me. I say, then, first, as a matter of justice to the slave, we owe it to him; the day of his deliverance has come. The long promise of seventy years is to be fulfilled. The South draws back from the pledge. The North is bound, in honor of the memory of her fathers, to demand its exact fulfillment, and in order to save this Union, which now means justice and peace, to recognize the rights of 4,000,000 of its victims. This is the dictate of Justice. Justice, which at this hour is craftier than Seward, more statesmanlike than Cameron; Justice, which appeals from the cabinets of Europe to the people; Justice, which abases the proud and lifts up the humble; Justice, which disarms England, saves the slaves from insurrection, and sends home the Confederate army of the Potomac to guard its own hearths; Justice, which gives us four million of friends, spies, soldiers in the enemy's country, planted each one at their very hearth-sides; Justice, which inscribes every cannon with "Holiness to the Lord!" and puts a Northern heart behind every musket; Justice, which means victory now and peace forever. To all cry of demagogues asking for boldness, I respond with the cry of "Justice, immediate, absolute Justice!" And if I dared to descend to a lower level, I should say to the merchants of this metropolis, Demand of the Government a speedy settlement of this question. Every hour of delay is big with risk. Remember, as Governor Boutwell suggests, that our present financial prosperity comes because we have corn to export in place of cotton; and that another year, should Europe have a good harvest and we an ordinary one, while an inflated currency tempts extravagance and large imports, general bankruptcy stares us in the face. Do you love the Union? Do you really think that on the other side of the Potomac are the natural brothers and customers of the manufacturing ingenuity of the North? I tell you, certain as fate, God

has written the safety of that relation in the same scroll with justice to the negro. The hour strikes. You may win him to your side; you may anticipate the South; you may save twelve million of customers. Delay it, let God grant McClellan victory, let God grant the stars and stripes over New Orleans, and it is too late.

Jeff Davis will then summon that same element to his side, and twelve million of customers are added to Lancashire and Lyons. Then commences a war of tariffs, embittered by that other war of angered nationalities, which are to hand this and the other Confederacy down for twenty-five or thirty years, divided, weakened, and bloody with intestine struggle. And what will be our character? I do not wholly agree with Edward Everett, in that very able and eloquent address which he delivered in Boston, in which, however, he said one thing pre-eminently true—he, the compromiser—that if, in 1830–31, nullification, under Jackson, had been hung instead of compromised, we never should have had Jeff Davis. [Loud applause.] I agree with him, and hope we shall make no second mistake of the kind. But I do not agree with him in the conclusion that these nineteen States, left alone, would be of necessity a second-rate power. No. I believe in brains; and I know these Northern men have more brains in their right hands than others have in their heads. [Laughter and cheers.] I know that we mix our soil with brains, and that, consequently, we are bound to conquer. Why, the waves of the ocean might as well rebel against our granite coast, or the wild bulls of the prairies against man, as either England or the South undertake to stop the march of the nineteen free States of this continent. [Applause.]

It is not power that we should lose, but it is character. How should we stand when Jeff Davis had turned that corner upon us—abolished slavery, won European sympathy, and established his confederacy? Bankrupt in character—outwitted in statesmanship. Our record would be, as we entered the sisterhood of nations, “Longed, and struggled, and begged to be admitted into the partnership of tyrants, and they were kicked out!” And the South would spring into the same arena, written on her brow, “She flung away what she thought gainful and honest, in order to gain her independence!” A record better than the gold of California or all the brains of the Yankee.

Righteousness is preservation. You who are not Abolitionists do not come to this question as I did—from an interest in these four million of black men. I came on this platform from sympathy

with the negro. I acknowledge it. You come to this question from an idolatrous regard for the Constitution of '89. But here we stand. On the other side of the ocean is England, holding out, not I think a threat of war—I do not fear it—but holding out to the South the intimation of her willingness, if she will but change her garments, and make herself decent—[laughter]—to accept her under her care, and give her assistance and protection. There stands England, the most selfish and treacherous of modern governments. [Loud and long-continued cheers.] On the other side of the Potomac stands a statesmanship, urged by personal and selfish interests, that can not be matched, and between them they have but one object—it is in the end to divide the Union.

Hitherto the negro has been a hated question. The Union moved majestic on its path, and shut him out, eclipsing him from the sun of equality and happiness. He has changed his position to-day. He now stands between us and the sun of our safety and prosperity, and you and I are together on the same platform—the same plank—our object to save the institutions which our fathers planted. Save them in the service of justice, in the service of peace, in the service of liberty; and, in that service, demand of the Government at Washington that they shall mature and announce a purpose. That flag lowered at Sumter, that flight at Bull Run, will rankle in the heart of the Republic for centuries. Nothing will ever medicine that wound but the Government announcing to the world that it knows well whence came its trouble, and is determined to effect its cure, and, consecrating the banner to liberty, to plant it on the shores of the Gulf. [Applause.] I say in the service of the negro; but I do not forget the white man, the eight million of poor whites, thinking themselves our enemies, but who are really our friends. Their interests are identical with our own. An Alabama slaveholder, sitting with me a year or two ago, said:

“In our northern counties they are your friends. A man owns one slave or two slaves, and he eats with him, and sleeps in the same room (they have but one), as much as a hired man here eats with the farmer he serves. There is no difference. They are too poor to send their sons North for education. They have no newspapers, and they know nothing but what they are told by us. If you could get at them, they would be on your side, but we mean you never shall.”

In Paris there are one hundred thousand men whom caricature or epigram can at any time raise to barricade the streets. Whose fault is it that such men exist? The Government's; and the Gov-

ernment under which such a mass of ignorance exists deserves to be barricaded. And the Government under which eight million of people exist, so ignorant that two thousand politicians and a hundred thousand aristocrats can pervert them into rebellion, deserves to be rebelled against. In the service of those men I mean, for one, to try to fulfill the pledge my fathers made when they said, "We will guarantee to every State a republican form of government." [Applause.] A privileged class, grown strong by the help and forbearance of the North, plots the establishment of aristocratic government in form as well as essence—conspires to rob the non-slaveholders of their civil rights. This is just the danger our national pledge was meant to meet. Our fathers' honor, national good faith, the cause of free institutions, the peace of the continent, bid us fulfill this pledge—insist in using the right it gives us to preserve the Union.

I mean to fulfill the pledge that free institutions shall be preserved in the several States, and I demand it of the Government. I would have them, therefore, announce to the world what they have never yet done. I do not wonder at the want of sympathy on the part of England with us. The South says, "I am fighting for slavery." The North says, "I am not fighting against it." Why should England interfere? The people have nothing on which to hang their sympathy.

I would have Government announce to the world that we understand the evil which has troubled our peace for seventy years, thwarting the natural tendency of our institutions, sending ruin along our wharves and through our workshops every ten years, poisoning the national conscience. We know well its character. But Democracy, unlike other governments, is strong enough to let evils work out their own death—strong enough to face them when they reveal their proportions. It was in this sublime consciousness of strength, not of weakness, that our fathers submitted to the well-known evil of slavery, and tolerated it until the viper we thought we could safely tread on, at the touch of disappointment, starts up a fiend whose stature reaches the sky. But our cheeks do not blanch. Democracy accepts the struggle. After this forbearance of three generations, confident that she has yet power to execute her will, she sends her proclamation down to the Gulf—Freedom to every man beneath the Stars, and death to every institution that disturbs our peace or threatens the future of our Republic. [Great applause followed the conclusion of the lecture.]

THE ABOLITIONISTS,

AND THEIR RELATIONS TO THE WAR.

An Address by William Lloyd Garrison, delivered Tuesday Evening, January 14, 1862, at the Cooper Institute, New York. Revised by the Author.

REPORTED BY ANDREW J. GRAHAM.

Among those who occupied the platform were J. A. Kennedy, Superintendent of Police, Rev. Dr. Tyng, Rev. Mr. Sloan, and many other eminent citizens. A beautiful bouquet of flowers and an ivy wreath were placed beside the speaker's desk by Mrs. Paton, which incident was followed by a burst of applause. The speaker having entered, was introduced by Mr. Theodore Tilton, who said :

"LADIES AND GENTLEMEN—I put myself for a moment between you and him [pointing to Mr. Garrison], because I have been asked, and honored in the asking, to give to a genuine Yankee a genuine Yankee welcome ; and I know not how to do it better than just to make the old-fashioned sign of the right hand, which is the Yankee token of good fellowship, and in your name to offer it to William Lloyd Garrison." [Applause.]

Mr. Tilton thereupon extended his hand to Mr. Garrison, who forthwith advanced, and was cordially welcomed. Mr. Garrison spoke as follows :

LADIES AND GENTLEMEN : No public speaker, on rising to address an assembly, has any right to presume that, because at the outset he receives a courteous and even warm approval, therefore they are prepared to indorse all his views and utterances. Doubtless, there are some points, at least, about which we very widely differ ; and yet, I must frankly confess, I know of no other reason for your kind approval this evening, than that I am an original, uncompromising, irrepressible, out-and-out, unmistakable, Garrisonian Abolitionist. [Enthusiastic applause.] By that designation I do not mean one whose brain is crazed, whose spirit is fanatical, whose purpose is wild and dangerous, but one whose patriotic creed is the Declaration of American Independence [loud cheers], whose moral line of measurement is the Golden Rule, whose gospel of humanity is the Sermon on the Mount, and whose language is that of Ireland's Liberator, O'Connell—"I care not what caste, creed, or color slavery may assume. Whether it be personal or political, mental or corporeal, intellectual or spiritual, I am for its instant, its total abolition. I am for justice, in the name of humanity, and according to the law of the living God." [Cheers.]

Hence, what I wrote many years ago, I feel proud once more to affirm :

"I am an Abolitionist,
 I glory in the name,
 Though now by Slavery's minions hissed,
 And covered o'er with shame.
 It is a spell of light and power—
 The watchword of the free—
 Who spurns it in the trial-hour,
 A craven soul is he."

I know that to be an Abolitionist is not to be with the multitude—on the side of the majority—in a popular and respectable position; and yet I think I have a right to ask of you, and of all who are living on the soil of the Empire State, and of the people of the North at large, why it is that you and they shrink from the name of Abolitionist? Why is it that, while you profess to be opposed to slavery, you nevertheless desire the whole world to understand that you are not radical Abolitionists? What is the meaning of this? Why are you not all Abolitionists? Your principles are mine. What you have taught me, I adopt. What you have taken a solemn oath to support, as essential to a free Government, I recognize as right and just. The people of this State profess to believe in the Declaration of Independence. That is my Abolitionism. Every man, therefore, who disclaims Abolitionism, repudiates the Declaration of Independence. Does he not? "All men are created equal, and endowed by their Creator with an inalienable right to liberty." Gentlemen, that is my fanaticism—that is all my fanaticism. [Cheers.] All I ask is, that this declaration may be carried out everywhere in our country and throughout the world. It belongs to mankind. Your Constitution is an Abolition Constitution. Your laws are Abolition laws. Your institutions are Abolition institutions. Your free schools are Abolition schools. I believe in them all; and all that I ask is, that institutions so good, so free, so noble, may be everywhere propagated, everywhere accepted. And thus it is that I desire, not to curse the South, or any portion of her people, but to bless her abundantly, by abolishing her infamous and demoralizing slave institution, and erecting the temple of liberty on the ruins thereof.

I believe in Democracy; but it is the Democracy which recognizes man as man, the world over. [Cheers.] It is that Democracy which spurns the fetter and the yoke for itself, and for all wearing the human form. And therefore I say, that any man who pretends to be a Democrat, and yet defends the act of making man the property of his fellow-man, is a dissembler and a hypocrite, and I unmask him before the universe. [Loud cheers.]

We profess to be Christians. Christianity—its object is to

redeem, not to enslave men! Christ is our Redeemer. I believe in Him. He leads the anti-slavery cause, and always has led it. The Gospel is the Gospel of freedom; and any man claiming to be a Christian, and to have within him the same mind that was in Christ Jesus, and yet dares to hold his fellow-man in bondage, as a mere piece of perishable property, is recreant to all the principles and obligations of Christianity. [Applause.]

Why is it, men of the Empire State, that there are no slaves here? Four millions of people, and not a single slave among them all! On what ground was slavery abolished in the State of New York? On the mere ground of policy or expediency, or because it was an immorality, a crime, an outrage, and therefore not to be tolerated by a civilized and Christian people? Hence I affirm that the people of this State are committed to radical, "ultra" Abolitionism. And so I have a right to expect everywhere a friendly hearing and a warm co-operation on the part of the people when I denounce slavery, and endeavor to bring it to the dust, and to take the chains from those who are laboring under the lash of the slave-driver. You have abolished slavery, because it can have no rightful existence here. You allow no man to decide whether he can humanely hold a slave. So of Massachusetts, so of New England, and so of the nineteen free States. Slavery is pronounced a curse by them all. Every man before the law is equal to every other man; and no man may lay his hand too heavily upon the shoulder of his brother man, except at his peril.

In the very generous notice of this lecture last Sunday, by Henry Ward Beecher, he said that he fully accorded with me in my principles, which strike at the foundation of slavery. All slavery is wrong, unjust, immoral, and unchristian, and ought to terminate, but he expressed some difference of opinion in regard to my methods for its abolition. I am confident that, upon further reflection and investigation, he will find my methods of Abolition are as unexceptionable as my principles. My method is simply this: when I see a slaveholder, I tell him he is bound by every consideration of justice and humanity to let the oppressed go free. That is God's method, and I think there can be no improvement upon it. And when I find an accomplice of the slaveholder sustaining him in his iniquity, I bid him repent, and demand that he bring forth fruits meet for his repentance. That is my method.

Now I say that if we are right in establishing our institutions upon the foundations of equal liberty, we have a right to endeavor

to propagate those institutions all over the country and throughout the world. We have a right to say to those in the slave States, "Your system of slavery is inherently wrong and dangerous. Regard your slaves as men, treat them as such, establish free institutions, substitute for the lash a fair compensation, and you will be blest, wonderfully blest." Have I not a right to say this? Is it not a natural, God-given, constitutional right? On the other hand, they have a perfect right at the South to endeavor to proselyte us in regard to their institutions; and I think they have done their best—that is, their worst—in that direction.

I never have heard any complaint in regard to the unlimited freedom of speech on the part of Southern slaveholders and slave-traffickers. We are told by pro-slavery men here, that we have no right to discuss this matter! They point us to our national compact. They gravely tell us to remember that, at the organization of the Government, the slave States were in existence, and came into the Union on terms of equality, and, under the compact, we have no right to criticise or condemn them because of their holding slaves. Now, my reply to them is, in the first place, that no compact of men's device can bind me to silence when I see my fellow-man unjustly oppressed. [Applause.] I care not when or where the compact was made, or by whom it was approved. My right to denounce tyrants and tyranny is not derived from man, nor from constitutions or compacts. I find it in my own soul, written there by the finger of God, and man can never erase it. I am sure that, if it were your case; if you were the victims of a compact that denied the right of any one to plead for your deliverance, though you were most grievously oppressed—though your children and wives were for sale in the market, along with cattle and swine—you would exclaim, "Accursed be such a compact! Let none be dumb in regard to our condition!"

My reply again is, that the compact, bad as it is in its pro-slavery features, provides for the liberty of speech and of the press, and therefore I am justified in saying what I honestly think in regard to slavery and those who uphold it. The Southern slaveholders, I repeat, have always exercised the largest liberty of speech. They have denounced free institutions to an unlimited extent. Is the right all on one side? May I not reciprocate, and say what I think of their slave institutions? Yes, I have the right, and, by the help of God, I mean to exercise it, come what may. [Great applause.]

The times are changing. Yes, it is spoken of with exultation—

and well it may be as a cheering sign of progress—that even Dr. Brownson has been able to speak against slavery in the city of Washington, without being in peril of his life; that even Horace Greeley and George B. Cheever have been permitted to stand up in the capital of their country, and utter brave words for freedom; and nobody mobbed them! [Applause.] And I am told it is expected that my eloquent friend, and the friend of all mankind, Wendell Phillips [cheers], will also soon make his appearance at Washington, to be heard on the same subject, without running any great personal risk. This is something to boast of! And yet I must confess, that I feel humiliated when I remember that all this is rendered possible, under our boasted Constitution, only because there is a Northern army of 150,000 soldiers in and around the capital! [Applause.] Take that army away—restore the old state of things—and it would not be possible for such speeches to be made there; but while we have General McClellan and 150,000 Northern bayonets in that section, a Northern man may say aloud at Washington, “Let the Declaration of Independence be applied to all the oppressed in the land,” and his life is not specially endangered in so doing! [Cries of “Hear, hear!”] If that is all we have to boast of now, what has been our condition hitherto?

Now, I maintain that no institution has a right to claim exemption from the closest scrutiny. All our Northern institutions are open for inspection. Every man may say of them what he pleases. If he does not like them, he can denounce them. If he thinks he can suggest better ones, he is entitled to do so. Nobody thinks of mobbing him, nobody thinks of throwing rotten eggs and brickbats at his head. Liberty! why, she is always fearless, honest, open-hearted. She says, as one did of old, “Search me and try me, and see if there be anything evil in me.” But, on the other hand, we are not permitted to examine Southern institutions. Oh, no! And what is the reason? Simply because they will not bear examination! Of course, if the slaveholder felt assured that they could, he would say, “Examine them freely as you will, I will assist you in every way in my power.” Ah! “’tis conscience that makes cowards of them all!” They dread the light, and with the tyrant of old they cry, “Put out the light—and then put out the light!” That is their testimony in regard to the rectitude of their slave institutions.

The slaveholders desire to be let alone. Jefferson Davis and his crew cry out, “Let us alone!” The Slave Oligarchy have always

cried out, "Let us alone!" It is an old cry—1,800 years old at least—it was the cry of those demons who had taken possession of their victims, and who said to Jesus, "Let us alone! Why hast thou come to torment us before the time?" [Laughter and applause.] Now, Jesus did not at all mistake the time; he was precisely in time, and therefore he bore his testimony like the prince of emancipators, and the foul demons were cast out, but not without rending the body. The slaves of our country, outraged, lacerated, and chained, cry out agonizingly to those who are thus treating them, "Let us alone!"—but the slaveholders give no heed to that cry at all! Now, I will agree to let the slaveholders alone when they let their slaves alone, and not till then. [Applause.]

"Let this matter rest with the South; leave slavery in the care and keeping of slaveholders, to put an end to it at the right time, as they best understand the whole matter." You will hear men, claiming to be intelligent, talking in this manner continually. They do not know what idiots they are; for is it anything better than idiocy for men to say: "Leave idolatry to idolaters, to be abolished when they think best; leave intemperance to drunkards; they best understand all about it; they will undoubtedly, if let alone, in God's own time, put an end to it [laughter]; leave piracy to be abolished by pirates; leave impurity to the licentious to be done away; leave the sheep to the considerate humanity of wolves, when they will cease to prey upon them!" No, this is not common sense; it is not sound reason; it is nothing but sheer folly. Salvation, if it comes at all, must come from without. Those who are not drunkards must save the drunken; those who are not impure must save the impure; those who are not idolaters must combine to put down idolatry; or the world can never make any progress. So we who are not slaveholders are under obligation to combine, and by every legitimate method endeavor to abolish slavery; for the slaveholders will never do it if they can possibly help it. Why do you send your missionaries abroad? Why do you go to the isles of the sea, to Hindostan and Burmah and other parts of the heathen world with your meddlesome, impertinent, disorganizing religion? Because you affirm that your object is good and noble; because you believe that the Christian religion is the true religion, and that idolatry debases and deludes its votaries; and to abolish it, or to endeavor to do so, is right. And yet you have no complicity with heathenism abroad. Nevertheless, your missionaries are there, endeavoring to effect a thorough overturn of all their institutions and

all their established ideas, so that old things shall pass away, and all things become new. But how is it in regard to slavery? You *have* something to do—aye, a great deal to do with it. You ought to know precisely where you stand, and what are your obligations in relation to it. Only think of it! Under your boasted Constitution, two generations of slaves have been driven to unrequited toil, and gone down into bloody graves; and a third generation is going through the same terrible career, with the Star Spangled Banner floating over their heads! This is by your complicity, men of the North! Oh, how consentingly the North has given her sympathy to the South in this iniquity of slaveholding! How everywhere the anti-slavery movement has been spit upon, and denounced, and caricatured, and hunted down, as if it were a wild beast, that could not be tolerated safely for an hour in the community! What weapon has been left unused against the Abolitionists of the North? How thoroughly have the people been tested everywhere, both in Church and State, in relation to the slave system of the South! But “Wisdom is justified of her children.” The Abolitionists serenely bide their time. The verdict of posterity is sure; and it will be an honorable acquittal of them from all the foul charges that have been brought against them by a pro-slavery people.

I do not think it is greatly to the shame of Abolitionists that the New York *Herald* can not tolerate them. [Laughter and applause.] I do not think it at all to their discredit that the *Journal of Commerce* thoroughly abominates them. [Laughter.] I do not think they have any cause to hang their heads for shame because the New York *Express* deems them fit only to be spit upon. [Applause.] I do not think they have any reason to distrust the soundness of their religion because the New York *Observer* brands them as infidels. [Applause.] Captain Rynders is not an Abolitionist. [Great laughter.] The Bowery Boys do not like Abolitionism. [Laughter.] And as it was eighteen hundred years ago, so we have had, in this trial of the nation, the chief priests and Scribes and Pharisees on the one hand, and the rabble on the other, endeavoring by lawless means and murderous instrumentalities to put down the anti-slavery movement, which is of God, and can not be put down. [Applause.] The slaveholders who have risen in rebellion to overthrow the Government, and crush out free institutions, are in the mood of mind, and ever have been, to hang every Abolitionist they can catch. I hold that to be a good certificate of character [applause], and when I add that the millions

of slaves in bondage, perishing in their chains, and crying unto Heaven for deliverance, are ever ready to give their blessings to the Abolitionists for what they have done, and when they run away from their masters come to us, who are represented to be their deadliest enemies, it seems to me we have made out our case. Such Abolitionism every honest, humane, upright, and noble soul ought to indorse as right.

And besides, I say it is a shame that we should any longer stand apart—I mean we of the North. What are all your paltry distinctions worth? You are not Abolitionists. Oh, no. You are only anti-slavery! Dare you trust yourself in Carolina, except, perhaps, at Port Royal? [Laughter.] You are not an ultra anti-slavery man; there is nothing ultra about you. You are only a Republican! Dare you go to New Orleans? Why, the President of the United States, chosen by the will of the people, and duly inaugurated by solemn oath, is an outlaw in nearly every slave State in this Union! He can not show himself there, except at the peril of his life. And so of his Cabinet. I think it is time, under these circumstances, that we should all hang together, or, as one said of old, “We shall be pretty sure, if caught, to hang separately.” [Laughter.] The South cares nothing for these nice distinctions among us. It is precisely on this matter of slavery as it is in regard to the position of Rome respecting Protestantism. Our Protestant sects assume to be each one the true sect, as against every other, and we are free in our denunciation of this or that sect as heretical, because not accepting our particular theological creed. What does Rome care for any such distinction? Whether we are High Church Episcopalian or Methodist, Quaker or Universalist, Presbyterian or Unitarian, we are all included in unbelief, we are all heretics together; and she makes no compromise. Just so with slavery. If we avow that we are at all opposed to slavery, it is enough, in the judgment of the South, to condemn us to a coat of tar and feathers, and to general outlawry.

I come now to consider what are the relations of the Abolitionists to the war. Fourteen months ago, after a heated Presidential struggle, with three candidates in the field, Abraham Lincoln was duly and constitutionally chosen President of the United States. Now where are we? At that time, who doubted the stability of the American Union? What power in the universe had we to fear? Was it not pronounced impossible for any real harm to come to us? How strong was our mountain, and how confident

our expectations in regard to the future! And now our country is dismembered, the Union sundered, and we are in the midst of the greatest civil war that the world has ever known. For a score of years, prophetic voices were heard admonishing the nation, "Because ye have said, We have made a covenant with death, and with hell are we at agreement; when the overflowing scourge shall pass through, it shall not come unto us; for we have made lies our refuge, and under falsehood have we hid ourselves. Therefore, thus saith the Lord God, Judgment will I lay to the line, and righteousness to the plummet; and the waters shall overflow the hiding-place; and your covenant with death shall be annulled, and your agreement with hell shall not stand." And now it is verified to the letter with us. In vain are all efforts to have it otherwise. "He that sitteth in the heavens shall laugh, the Lord shall have them in derision." "Though hand join in hand, yet shall not the wicked go unpunished." Yes, America! "Though thou exalt thyself as the eagle, and though thou set thy nest among the stars, thence will I bring thee down, saith the Lord."

Who are responsible for this war? If I should go out into the streets for a popular reply, it would be, "The Abolitionists"—or, to use the profane vernacular of the vile, "It is all owing to the d—d Abolitionists. [Laughter.] If they had not meddled with the subject of slavery, everything would have gone on well; we should have lived in peace all the days of our lives. But they insisted upon meddling with what doesn't concern them; they indulged in censorious and harsh language against the slaveholders, and the result is, our nation is upturned, and we have immense hostile armies looking each other fiercely in the face, and our glorious Union is violently broken asunder." Let me read an extract from the New York *Express* for your express edification:

"Our convictions are, that anti-slavery stimulated, and is the animating cause of this rebellion. If anti-slavery were now removed from the field of action, pro-slavery would perish of itself, at home, in its own contortions." [Laughter.]

Well, I do not think I can make a better reply to such nonsense than was made by your chairman, in a brief letter which he sent to the annual meeting of the Pennsylvania Anti-Slavery Society at West Chester, a few weeks ago, and by his permission I will read it:

"My opinion is this: There is war because there was a Republican party. There was a Republican party because there was an Abolition party. There was an Abolition party because there was slavery. Now, to charge the war upon Republicanism is merely to blame the lamb that stood in the brook. To charge it upon Abolitionism is merely to blame the sheep for being the lamb's mother. [Laughter.] But to charge it upon slavery is to lay the crime flat at the door of the wolf,

where it belongs. [Laughter.] To the end of trouble, kill the wolf. [Renewed laughter.] I belong to the party of wolf-killers." [Applause and merriment.]

And let all the people say Amen! [Cheers.]

But consider the absurdity of this charge. Who are the avowed Abolitionists of our country? I have told you they occupy a very unpopular position in society—and certainly very few men have yet had the moral courage to glory in the name of Abolitionist. They are comparatively a mere handful. And yet they have overturned the Government! They have been stronger than all the parties and all the religious bodies of the country—stronger than the Church, and stronger than the State. Indeed! Then it must be because with them is the power of God, and it is the Truth which has worked out this marvelous result. [Cheers.]

How many Abolition presses do you suppose exist in this country? We have, I believe, three or four thousand journals printed in the United States; and how many Abolition journals do you suppose there are? [Laughter.] You can count them all by the fingers upon your hand; yet, it seems, they are more than a match for all the rest put together. This is very extraordinary; but, our enemies being judges, it is certainly true. And now, what has been our crime? I affirm, before God, that our crime has been only this: we have endeavored, at least, to remember those in bonds as bound with them. I, for one, am guilty only to this extent: I have called aloud for more than thirty years to my beloved but guilty country, saying:

"There is within thy gates a pest,
Gold, and a Babylonish vest;
Not hid in sin-concealing shade,
But broad against the sun displayed!
Repent thee, then, and quickly bring
Forth from the camp th' accursed thing;
Consign it to remorseless fire,
Watch till the latest spark expire;
Then strew its ashes on the wind,
Nor leave one atom wreck behind.
So shall thy wealth and power increase;
So shall thy people dwell in peace;
On thee th' Almighty's glory rest,
And all the earth in thee be blest!"

And what if the Abolitionists had been heeded thirty years ago? Would there now be any civil war to talk about? [Cries of "No."] Ten years ago? five years ago? one year ago? And all that time God was patient and forbearing, giving us an opportunity of escape. But the nation would not hearken, and went on hardening its heart. Oh! how guilty are the conspirators of the South in what they have done! How utterly unjustifiable and causeless is their rebellion! How foul and false their accusations against the Government,

against the Republican party, against the people of the North! Utterly, inexcusably, and horribly wicked! But let us remember, to our shame and condemnation as a people, that the guilt is not all theirs. I assert that they have been encouraged in every conceivable way to do all this for more than thirty years—encouraged by the press of the North, by the churches of the North, by the pulpits of the North (comprehensively speaking). Abolitionists have been hunted as outlaws, or denounced as wild fanatics; while the slaveholders have been encouraged to go on, making one demand after another, until they felt assured that when they struck this blow, they would have a powerful party at the North with them, to accomplish their treasonable designs; and it is only by God's providence we have escaped utter ruin. [Loud applause.] Therefore it is that the vials of Divine retribution are poured out so impartially. We are suffering; our blood is flowing, our property is melting away—and who can see the end of it? Well, if the whole nation should be emptied, I should say: "Oh! give thanks unto the Lord; for he is good, for his mercy endureth forever!" Our crime against these four millions of slaves, and against a similar number who have been buried, can not be adequately described by human language. Our hands are full of blood, and we have run to do evil; and now a heavy but righteous judgment is upon us! Let us reverently acknowledge the hand of God in this; let us acknowledge our sins, and put them away; and let each man put the trump of jubilee to his lips, and demand that the chains of the oppressed shall be broken forever! [Cheers.]

"The Abolitionists have used very irritating language!" I know it. I think, however, it must be admitted that that charge has been fully offset by the Southern slaveholders and their Northern accomplices; for, if my memory serves me, they have used a great deal of irritating language about the Abolitionists. Indeed, I do not know of any abusive, false, profane, malicious, abominable epithets which they have not applied without stint to the Abolitionists—besides any amount of tarring and feathering, and other brutal outrages, in which we have never indulged towards them! [Laughter and cheers.] Irritating language, forsooth? Why, gentlemen, all that we have said is, "Do not steal," "Do not murder," "Do not commit adultery,"—and it has irritated them! [Applause and laughter.] Of course, it must irritate them. The galled jade will wince. John Hancock and Sam Adams greatly irritated George the Third and Lord North. There was a great deal of

British irritation at Lexington and Bunker Hill, and it culminated at last at Yorktown. [Loud cheers.] Well, it is certain that a very remarkable change has taken place within a short time. They who have complained of our hard language, as applied to the slaveholders, are now for throwing cannon-balls and bomb-shells at them! They have no objection to blowing out their brains, but you must not use hard language! Now, I would much rather a man would hurl a hard epithet at my head than the softest cannon-ball or shell that can be found in the army of the North. As a people, however, we are coming to the conclusion that, after all, the great body of the slaveholders are not exactly the honest, honorable, and Christian men that we mistook them to be. [Applause.] It is astonishing, when any wrong is done to us, how easily we can see its true nature. What an eye-salve it is! If any one picks *our* pocket, of course he is a thief; if any one breaks into *our* house, he is a burglar; if any one undertakes to outrage *us*, he is a scoundrel. And now that these slaveholders are in rebellion against the Government, committing piracy upon our commerce, confiscating Northern property to the amount of hundreds of millions of dollars, and plunging the country into all the horrors of civil war, why, of course, they are pirates—they are swindlers—they are traitors of the deepest dye! [Cheers and laughter.] Ladies and gentlemen, let me tell you one thing, and that is, they are just as good as they ever were. They are just as honest, just as honorable, and just as Christian as they ever were. [Laughter.] Circumstances alter cases, you know. While they were robbing four millions of God's despised children of a different complexion from our own, stripping them of all their rights, selling them in lots to suit purchasers, and trafficking in their blood, they were upright, patriotic, Christian gentlemen! Now that they have interfered with us and our rights, have confiscated our property, and are treasonably seeking to establish a rival confederacy, they are downright villains and traitors, who ought to be hanged by the neck until they are dead. [Cheers.]

"Abolitionists should not have intermeddled with their affairs," it is said. "We of the North are not responsible for slavery, and it is a very good rule for men to mind their own business." Who say this? Hypocrites, dissemblers, men who are condemned out of their own mouths. They are those who are always justifying or apologizing for slavery, who are in religious fellowship with these traffickers in human souls, who claim political affinity with them, and who give constitutional guarantees that fugitive slaves

may be hunted and captured in every part of the North, and that slave insurrections shall be suppressed by the strong arm of the national Government, if need be; and yet they have nothing to do with slavery! Hypocrites and dissemblers, I spurn you all! When I see a man drowning, if I can throw him a rope, I will do it; and if I would not, would I not be a murderer? When I see a man falling among thieves, and wounded and forsaken, if I can get to him with oil and wine to bind up his wounds, I am bound to do it; and if I refuse, I become as base as the robber who struck him down. And when I see tyranny trampling upon my fellow-man, I know of no law, human or divine, which binds me to silence. I am bound to protest against it. [Cheers.] I will not be dumb. It is my business to meddle with oppression wherever I see it. [Applause.]

It is said, again, "There was no trouble in the land until the Abolitionists appeared." Well, the more is the pity! Order reigns in Warsaw until Kosciusko makes his appearance. It reigns in Hungary until Kossuth comes forward—in Italy, until Garibaldi takes the field. [Loud cheers.] No trouble until the Abolitionists came forward! The charge is false—historically untrue. Witness the struggle that took place at the formation of your Constitution, in regard to the slavery guarantees of that instrument. What is the testimony of John Quincy Adams on that point? He says:

"In the articles of Confederation, there was no guaranty for the property of the slaveholder—no double representation of him in the Federal councils—no power of taxation—no stipulation for the recovery of fugitive slaves. But when the powers of *Government* came to be delegated to the Union, the South—that is, South Carolina and Georgia—refused their subscription to the parchment till it should be saturated with the infection of slavery, which no fumigation could purify, no quarantine could extinguish. The freemen of the North gave way, and the deadly venom of slavery was infused into the Constitution of Freedom."

And so at the time of the Missouri struggle in 1820. There were no Abolitionists then in the field; yet the struggle between freedom and slavery was at that time so fierce and terrible as to threaten to end in a dissolution of the Union. [Cheers.] Oh! no stain of blood rests on the garments of the Abolitionists. They have endeavored to prevent the awful calamity which has come upon the nation, and they may wash their hands in innocence, and thank God that in the evil day they were able to stand. [Applause.]

No, my friends, this fearful state of things is not of men; it is of Heaven. As we have sowed, we are reaping. The whole cause of it is declared in the memorable verse of the prophet: "Ye have not hearkened unto me in proclaiming liberty, every man to his brother, and every man to his neighbor: behold, I proclaim a liberty for you, saith the Lord, to the sword, to the pesti-

lence, and to the famine." That is the whole story. This is the settlement day of God Almighty for the unparalleled guilt of our nation; and if we desire to be saved, we must see to it that we put away our sins, "break every yoke, and let the oppressed go free," and thus save our land from ruin. [Applause.]

Be not deceived; this rebellion is not only to eternize the enslavement of the African race, but it is also to overturn the free institutions of the North. The slaveholders of the South are not only opposed to Northern Abolitionists, but to Northern ideas and Northern institutions. Shall I refresh your memories by one or two quotations in point? Listen to the language of the Richmond *Examiner*:

"The South now maintains that slavery is right, natural, and necessary, and does not depend upon complexion. The laws of the slave States justify the holding of *white men* in bondage."

The Charleston *Mercury* says:

"Slavery is the natural and normal condition of the laboring man, whether white or black. The great evil of Northern free (mark you, not *Abolition*) society is that it is burdened with a servile class, mechanics and laborers, unfit for self-government, and yet clothed with the attributes and powers of citizens. Master and slave is a relation in society as necessary as that of parent and child; and the Northern States will yet have to introduce it. *Their theory of free government is a delusion.*"

Yet you are for free government, but not for Abolitionism! What do you gain by the disclaimer? The South is as much opposed to the one as she is to the other—she hates and repudiates them both!

The Richmond *Enquirer* says:

"Two opposite and conflicting forms of society can not, among civilized men, co-exist and endure. The one must give way and cease to exist. The other becomes universal. If free society be unnatural, immoral, unchristian, it must fall, and give way to slave society—a social system old as the world, universal as man."

An Alabama paper says:

"All the Northern, and especially the New England States, are devoid of society fitted for well-bred gentlemen. The prevailing class one meets with is that of mechanics struggling to be genteel, and small farmers who do their own drudgery, and yet who are hardly fit for associating with a Southern gentleman's body-servant."

You see, men of the North, it is a war against freedom—your freedom as well as that of the slave—against the freedom of mankind. It is to establish an oligarchic, slaveholding despotism, to the extinction of all free institutions. The Southern rebellion is in full blast; and if they can work their will against us, there will be for us no liberty of speech or of the press—no right to assemble as we assemble here to-night, and our manhood will be trampled in the dust. [Applause.] I say, therefore, under these circumstances, treason consists in giving aid or countenance to the slave system of the South—not merely to Jeff Davis, as president of the Southern Confederacy, or to this rebel movement in special. Every man who gives any countenance or support to slavery is a traitor to liberty. [Enthusiastic applause.] I say he is a dangerous and unsafe man. [Renewed cheers.] He carries within him the seeds of despotism, and no one can tell how soon a harvest of blood and treason may spring up. Liberty goes with Union and

for Union, based on judgment and equality. Slavery is utter disunion and disorganization in God's universe. [Cheers.]

But, we are told, "hang the Secessionists on the one hand, and the Abolitionists on the other, and then we shall have peace." [Laughter.] How very discriminating! Now, I say, if any hanging is to be done (though I do not believe in capital punishment—that is one of my heresies)—if any hanging is to be done, I am for hanging these sneaking, two-faced, pseudo-loyal go-betweens immediately. [Loud and enthusiastic applause. A voice, "That's the talk!"] Why, as to this matter of loyalty, I maintain that the most loyal people to a free government who walk on the American soil, are the uncompromising Abolitionists. [Cheers.] It is not freedom that rises in rebellion against free government. It is not the love of liberty that endangers it. It is not those who will not make any compromise with tyranny who threaten it. It is those who strike hands with the oppressors. Yes, I maintain the Abolitionists are more loyal to free government and free institutions than President Lincoln himself; because, while I want to say everything good of him that I can, I must say I think he is lacking somewhat in backbone, and is disposed, at least, to make some compromise with slavery, in order to bring back the old state of things; and, therefore, he is nearer Jeff Davis than I am. Still, we are both so bad, that I suppose if we should go amicably together down South, we never should come back again.

"Hang the Abolitionists, and then hang the Secessionists!" Why, in the name of common sense, wherein are these parties agreed? Their principles and purposes are totally dissimilar. *We* believe in the inalienable rights of man—in "liberty, equality, fraternity." *They* disbelieve in all these. *We* believe in making the law of God paramount to all human codes, compacts, and enactments. *They* believe in trampling it under their feet, to gratify their lust of dominion, and in "exalting themselves above all that is called God." *We* believe in the duty of liberating all who are pining in bondage. *They* are for extending and perpetuating slavery to the latest posterity. *We* believe in free government and free institutions. *They* believe in the overthrow of all these, and have made chattel bondage the corner-stone of their new confederacy. Where is there any agreement or similarity between these parties?

But it may be said you are for the dissolution of the Union. I was. Did I have any sympathy with the spirit of Southern secession when I took that position? No. My issue was a moral one—a Christian one. It was because of the pro-slavery nature of the compact itself that I said I could not, as a Christian man, as a friend of liberty, swear to uphold such a Union or Constitution. Listen to the declaration of John Quincy Adams, a most competent witness, I think, in regard to this matter:

"It can not be denied—the slaveholding lords of the South prescribed as a condition of their assent to the Constitution, three specific provisions to secure the perpetuity of their dominion over their slaves. The first was the immunity for twenty

years of preserving the slave-trade; the second was the stipulation to surrender fugitive slaves—an engagement positively prohibited by the laws of God, delivered from Sinai; and thirdly, the exaction, fatal to the principles of popular representation, of a representation of slaves, for articles of merchandise, under the name of persons.

“The bargain between freedom and slavery, contained in the Constitution of the United States, is *morally and politically vicious*—inconsistent with the principles on which alone our Revolution can be justified—cruel and oppressive, by riveting the chains of slavery, by pledging the faith of freedom to maintain and perpetuate the tyranny of the master, and grossly unequal and impolitic, by admitting that slaves are at once enemies to be kept in subjection, property to be secured and returned to their owners, and persons not to be represented themselves, but for whom their masters are privileged with nearly a double share of representation. The consequence has been that this slave representation has governed the Union. Benjamin’s portion above his brethren has ravined as a wolf. In the morning he has devoured the prey, and in the evening has divided the spoil.”

Hence I adopted the language of the prophet Isaiah, and pronounced the Constitution, in these particulars, to be “a covenant with death, and an agreement with hell.” Was I not justified as a Christian man in so doing? Oh, but the *New York Journal of Commerce* says there seems to have taken place a great and sudden change in my views—I no longer place this motto at the head of my paper. Well, ladies and gentlemen, you remember what Benedict in the play says: “When I said I would die a bachelor, I did not think I would live to get married.” [Laughter.] And when I said I would not sustain the Constitution, because it was “a covenant with death, and an agreement with hell,” *I had no idea that I would live to see death and hell secede.* [Prolonged applause and laughter.] Hence it is that I am now with the Government to enable it to constitutionally stop the further ravages of death, and to extinguish the flames of hell forever. [Renewed applause.]

We are coolly told that slavery has nothing to do with this war! Believe me, of all traitors in this country who are most to be feared and detested, they are those who raise this cry. We have little to fear, I think, from the Southern rebels, comparatively: it is those Northern traitors, who, under the mask of loyalty, are doing the work of the devil, and effectively aiding the Secessionists by trying to intimidate the national government from striking a direct blow at the source of the rebellion, who make our position a dangerous one. [Applause.] What? slavery nothing to do with this war! How does it happen, then, that the war is all along the border between the free and the slave States? What is the meaning of this? For there is not a truly loyal slave State in the Union—not one. [Voices—“That’s so.”] I maintain that Maryland, Kentucky, and Missouri are, by their feigned loyalty, greater obstacles in the way of victory than Carolina, Alabama, and Georgia. Nothing but the presence on their soil of the great army of the North keeps them loyal, even in form, and even under such a pressure they are full of overt treason. They have to be enticed to remain in the Union, as a man said he once enticed a burglar out of his house—he enticed him with a pitchfork! [Laughter.] Withdraw your troops, and instantly they will fall into the Southern Confederacy by the law of gravitation. That is the whole of it. But this is not to be loyal—this is not a willing support of the Constitution and the Union. No! On

the other hand, every free State is true to the Government. It is the inevitable struggle between the children of the bond-woman and the children of the free. [Applause.]

Treason—where is it most rampant? Just where there are the most slaves! It disappears where there are no slaves, except in those cases to which I have referred, of skulking, double-faced hypocrites, wearing the mask of loyalty, and yet having the heart of traitors. [Applause.] What State led off in this atrocious rebellion? Why, South Carolina, of course, for in that State the slave population outnumbers the white. And so of Louisiana, out of which every avowed Unionist has been driven by violence: more than half of her population are slaves. Charleston and New Orleans are the head-quarters of treason, because the head-quarters of slavery. Besides, do not the rebels proclaim to the world that the issue they make is the perpetuation of their slave system and the overthrow of free government? Commend them for their openness: they avow just what they mean, and what they desire to accomplish. Now, then, for any party at the North to say, "Don't point at slavery as the source of the rebellion—it has nothing whatever to do with it—the Abolitionists are alone to be held responsible"—why, I have no words to express my contempt for such dissemblers. I brand them as worse than the rebels who are armed and equipped for the seizure of the capital.

It is loudly vociferated in certain quarters, "This is not a war for the abolition of slavery, but solely to maintain the Union." Granted, ten thousand times over! I, as an Abolitionist, have never asserted the contrary. But the true issue is, in order that the Union may be perpetuated, shall not slavery, the cause of its dismemberment, be stricken down to the earth? The necessity is found in the present imperiled state of the Government, and in the fatal experiment of the past. There can not again be a union of the States as it existed before the rebellion; for while I will not underrate Northern valor, but believe that Northern soldiers are competent to achieve anything that men can do in the nature of things, I have no faith in the success of the army in its attempt to subdue the South, while leaving slavery alive upon her soil. If any quarter is given to it, it seems to me that our defeat is just as certain in the end as that God reigns. We have got to make up our minds to one of three alternatives; either to be vanquished by the rebel forces, or to see the Southern Confederacy shortly acknowledged by the European powers: or else, for self-preservation and to maintain its supremacy over the whole country, the Government must transform every slave into a man and a freeman, henceforth to be protected as such under the national ensign. [Applause.] The right of the Government to do this, in the present fearful emergency, is unquestionable. Has not slavery made itself an outlaw? And what claim has an outlaw upon the Constitution or the Union? Guilty of the blackest treason, what claims have the traitors upon the Government? Why, the claim to be hanged by the neck until they are "dead, dead, dead"—nothing else. [Applause.]

What sane man, what true patriot, wants the old Union restored—the Slave Oligarchy once more in power over the free States—Congress under slaveholding mastership—the army, navy, treasury, executive, supreme court, all controlled by the traffickers in human flesh? No! no! Happily, the Government may now constitutionally do what until the secession it had not the power to do: For thirty years the Abolitionists have sent in their petitions to Congress, asking that body to abolish slavery in the District of Columbia, to prevent the further extension of slavery, to repeal the Fugitive Slave Law, etc., etc., but not to interfere with slavery in the Southern States. We recognize the compact as it was made. But now, by their treasonable course, the slaveholders may no longer demand constitutional protection for their slave property. The old “covenant with death” should never have been made. Our fathers sinned—sinned grievously and inexcusably—when they consented to the hunting of fugitive slaves—to a slave representation in Congress—to the prosecution of the foreign slave-trade, under the national flag, for twenty years—to the suppression of slave insurrections by the whole power of the Government. I know the dire extremity in which they were placed—exhausted by a seven years’ war, reduced to bankruptcy, bleeding at every pore, fearing that the colonies would be conquered in detail by England if they did not unite—it was a terrible temptation to compromise; but it does not exonerate them from guilt. The Union should not have been made upon such conditions; but now that the South has trampled it under foot, it must not be restored as it was, even if it can be done. [Applause.] But it can not be done. There are two parties who will make such a reunion impossible: the first is, the South—the second, the North. Besides, what reliable guarantee could be given that, after coming back, the South would not secede within twenty-four hours? The right to secede *ad libitum* is her cardinal doctrine. Moreover, she declares that she has taken her leave of us forever; she will not unite with us on any terms. Let me read you an extract from Jefferson Davis’s last message to the Confederate Congress:

“Not only do the causes which induced us to separate still last in full force, but they have been strengthened; and whatever doubt may have lingered on the minds of any, must have been completely dispelled by subsequent events. If, instead of being a dissolution of a league, it were indeed a rebellion in which we are engaged, we might feel ample vindication for the course we have adopted in the scenes which are now being enacted in the United States. Our people now look with contemptuous astonishment on those with whom they have been so recently associated. They shrink with aversion from the bare idea of renewing such a connection. With such a people we may be content to live at peace, but *our separation is final*, and for the independence we have asserted we will accept no alternative.”

Now, this is open and above-board, and it ought to be resolutely met by the North in the glorious spirit of freedom, saying, “By the traitorous position you have assumed, you have put your slave system under the absolute control of the Government; and that you may be saved from destruction, as well as the country, we shall emancipate every slave in your possession.” [Cheers.]

But—say the sham loyalists of the North, “there is no constitutional right or power to abolish slavery—it would be the overthrow of the Constitution if Congress or the President should dare to do it.” This is nothing better than cant, and treason in disguise. I should like to know what right General McClellan has with an invading army of 150,000 men in Virginia? Is that constitutional? Did Virginia bargain for that when she entered the Union? By what right did we batter down the fort at Cape Hatteras? By what right do Northern soldiers “desecrate the sacred soil” of South Carolina by capturing Port Royal and occupying Beaufort? By what right has the Government half a million of troops, invading the South in every quarter, to kill, slay, and destroy, to “cry havoc, and let slip the dogs of war,” for the purpose of bringing her into subjection? Where is the right to do this to be found in the Constitution? Where is it? It is in this section: “CONGRESS SHALL HAVE POWER TO DECLARE WAR;” and when war comes, then come the rules of war, and, UNDER THE WAR POWER, Congress has a constitutional right to abolish slavery if it be necessary to save the Government and maintain the Union. [Loud applause.] On this point, what better authority do we want than that of John Quincy Adams? Hear what he says:

“I lay this down as the law of nations. I say that military authority takes, for the time, the place of all municipal institutions, and *slavery among the rest*; and that under that state of things, so far from its being true that the States where slavery exists have the exclusive management of the subject, not only the President of the United States, but the commander of the army, *has power to order the universal emancipation of the slaves*. * * * From the instant that the slaveholding States become the theater of a war, civil, servile, or foreign, from that instant the war powers of Congress extend to interference with the institution of slavery, in every way in which it can be interfered with, from a claim of indemnity for slaves taken or destroyed, to the cession of States, burdened with slavery, to a foreign power. * * * It is a war power. I say it is a war power; and when your country is actually in war, whether it be a war of invasion or a war of insurrection, Congress has power to carry on the war, and must carry it on, according to the laws of war; and by the laws of war, an invaded country has all its laws and municipal institutions swept by the board, and martial power takes the place of them. When two hostile armies are set in martial array, the commanders of both armies *have power to emancipate all the slaves in the invaded territory*.”

I hope Gen. McClellan or President Lincoln will soon be inclined to say “ditto” to John Quincy Adams. [Applause.] Commander-in-chief of the army, by the law of nations and under the war power given by the Constitution, in this terrible emergency you have the right and glorious privilege to be the great deliverer of the millions in bondage, and the savior of your country! May you have the spirit to do it!

There are some well-meaning men who unreflectingly say that this is despotic power. But the exercise of a constitutional right is not despotism. What the people have provided to save the Government or the Union is not despotism, but the concentration of extraordinary power for beneficent purposes. It is as much a constitutional act, therefore, for Gen. McClellan, or the President, or Congress, to declare slavery at an end in this country, as it is to march an army down into the South to subdue her—as it is to give shelter and freedom to the thousands of contrabands already set at

liberty. The way is clear; and under these circumstances, how tremendous will be the guilt of the Government if it refuses to improve this marvelous opportunity to do a magnificent work of justice to one seventh portion of our whole population—to do no evil to the South, but to bestow upon her a priceless blessing, and thereby perpetuate all that is precious in our free institutions! I would rather take my chance at the judgment-seat of God with Pharaoh than with Abraham Lincoln if he do not, as President of the United States, in this solemn exigency, let the people go. [Applause.] He has the power—he has the right. The capital is virtually in a state of siege—the rebels are strong, confident, defiant; scarcely any progress has been made in quelling the rebellion. We do not know where we are, or what is before us. Already hundreds of millions of dollars in debt—blood flowing freely, but in vain—the danger of the speedy recognition of the Southern Confederacy by European powers imminent—what valid excuse can the Government give for hesitating under such a pressure? And when you consider that slavery—which in itself is full of weakness and danger to the South—is, by the forbearance of the Government, made a formidable power in the hands of the rebels for its overthrow, you perceive there is a pressing reason why there should be no delay.

Only think of it! Our colored population, bond and free, could furnish an army of a million men from eighteen to forty-five years of age, and yet not one of them is allowed to shoulder a musket! There are in slavery more than eight hundred thousand men capable of bearing arms—a number larger than the two great hostile armies already in the field. They are at the service of the Government whenever it will accept them as free and loyal inhabitants. [Applause.] It will not accept them! But the rebel slaveholders are mustering them in companies and regiments, and they are shooting down Northern men, and in every way giving strength and success to the rebellion. Slavery is a thunderbolt in the hands of the traitors to smite the Government to the dust. That thunderbolt might be seized and turned against the rebellion with fatal effect, and at the same time without injury to the South. My heart glows when I think of the good thus to be done to the oppressors as well as to the oppressed; for I could not stand here, I could not stand anywhere, and advocate vindictive and destructive measures to bring the rebels to terms. I do not believe in killing or doing injury even to enemies—God forbid! That is not my Christian philosophy. But I do say, that never before in the history of the world has God vouchsafed to a government the power to do such a work of philanthropy and justice, in the extremity of its danger and for self-preservation, as he now grants to this Government. Emancipation is to destroy nothing but evil; it is to establish good; it is to transform human beings from things into men; it is to make freedom, and education, and invention, and enterprise, and prosperity, and peace, and a true Union possible and sure. Redeemed from the curse of slavery, the South

shall in due time be as the garden of God, Though driven to the wall and reduced to great extremity by this rebellion, still we hold off, hold off, and reluctantly say, at last, if it must be so, but only to save ourselves from destruction, we will do this rebellious South the most beneficent act that any people ever yet did—one that will secure historic renown for the administration, make this struggle memorable in all ages, and bring down upon the land the benediction of God! But we will not do this, if we can possibly avoid it! Now, for myself, both as an act of justice to the oppressed and to serve the cause of freedom universally, I want the Government to be in haste to blow the trump of jubilee. I desire to bless and not curse the South—to make her prosperous and happy by substituting free institutions for her leprous system of slavery. I am as much interested in the safety and welfare of the slaveholders, as brother men, as I am in the liberation of their poor slaves; for we are all the children of God, and should strive to promote the happiness of all. I desire that the mission of Jesus, “Peace on earth, good-will to men,” may be fulfilled in this and in every land.

Bear in mind that the colored people have always been loyal to the country. You never heard of a traitor among them, when left to freedom of choice. Is it not most humiliating—ought we not to blush for shame—when we remember what we have done to them, and what they have done for us? In our Revolutionary struggle they freely participated, and helped to win our national independence. The first patriotic blood that stained the pavements of Boston, in 1770, was that of Crispus Attucks, a black man. It was Peter Salem, a black man, who shot the British leader, Major Pitcairn, as, storming the breastworks at Bunker Hill, he exclaimed, “The day is ours!” Throughout that memorable struggle, the colored men were ever ready to pour out their blood and lay down their lives to secure the liberties we now enjoy; and they were admitted to have been among the bravest of the brave. In the war of 1812, when New Orleans was threatened by a formidable British force, do you remember what Gen. Jackson said when he needed their help? He did not scorn them in the hour of peril; far from it. This was his proclamation:

“HEADQUARTERS, SEVENTH MILITARY DISTRICT, }
MOBILE, Sept. 21, 1814. }

To the Free Colored Inhabitants of Louisiana:

Through a mistaken policy, you have been heretofore deprived of a participation in the glorious struggle for national rights in which this country is engaged. This no longer shall exist.

As sons of freedom, you are now called upon to defend our most inestimable blessings. As Americans, your country looks with confidence to her adopted children for a valorous support, as a faithful return for the advantages enjoyed under her mild and equitable Government. As fathers, husbands, and brothers, you are summoned to rally round the standard of the eagle, to defend all which is dear in existence.

Your country, although calling for your exertions, does not wish you to engage in her cause without remunerating you for the services rendered. Your intelligent minds are not to be led away by false representations. Your love of honor would cause you to despise the man who should attempt to deceive you. With the sincerity of a soldier and the language of truth I address you.

To every noble-hearted freeman of color volunteering to serve during the present

contest with Great Britain, and no longer, there will be paid the same bounty, in money and lands, now received by the white soldiers of the United States, viz. : one hundred and twenty-four dollars in money, and one hundred and sixty acres of land. The non-commissioned officers and privates will also be entitled to the same monthly pay, daily rations, and clothes furnished to any American soldier.

As a distinct, independent battalion or regiment, pursuing the path of glory, you will, undivided, receive the applause and gratitude of your countrymen."

Then again, after the struggle, he addressed them as follows:

"SOLDIERS! When, on the banks of the Mobile, I called upon you to take up arms, inviting you to partake of the perils and glory of your white fellow-citizens, I expected much from you; for I was not ignorant that you possessed qualities most formidable to an invading enemy. I knew with what fortitude you could overcome hunger and thirst, and all the fatigues of a campaign. *I knew well how you loved your native country*, and that you, as well as ourselves, had to defend what *man* holds most dear—his parents, wife, children, and property. *You have done more than I expected*. In addition to the previous qualities I before knew you to possess, I have found among you a noble enthusiasm, which leads to the performance of great things."

What a splendid tribute!—"I expected much from you, but you have done more than I expected!"

I do not believe in war, but I do say that, if any class of men, being grievously oppressed, ever had the right to seize deadly weapons, and smite their oppressors to the dust, then all men have the same right. [Applause.] "A man 's a man, for a' that." If the right of bloody resistance is in proportion to the amount of oppression inflicted, then no people living would be so justified before heaven and earth in resisting unto blood as the Southern slaves. By that rule, any Nat Turner has a right to parody the famous Marseillaise, and, addressing his suffering associates, exclaim—

"Ye fettered slaves! awake to glory!
Hark! hark! what myriads bid you rise!
Your children, wives, and grandsires hoary,
Behold their tears and hear their cries!
To arms, to arms, ye brave!
The patriot sword unsheath!
March on, march on, all hearts resolved
On liberty or death!"

Thus do I vindicate the equal humanity of the slaves. Let them be emancipated under law as the flag of the Union goes forward, and they will behave as well as any other class. They are not a bloodthirsty race; they are calumniators who make this charge. The Anglo-Saxon race are far more vindictive and revengeful; but the African race are peculiarly mild, gentle, forbearing, forgiving. So much indeed do they dread to shed blood, that they can not successfully conspire to throw off the yoke without some one of them who has been treated kindly, and who desires to shield his master or mistress from harm, reveals the secret! When they are set free and protected as free men by the Government, there will be little need of a Northern army at the South; for they will take care of the rebel slaveholders, and the rebellion with speedily collapse. [Applause.]

It is further said, by way of intimidation, that if the Government proclaim emancipation, a large portion of the officers in the army will instantly resign, and the army itself be broken up. Then they will be guilty of treason. [A voice—"They ought to be hanged."]

If such are the officers and such the soldiers, then the army is filled with traitors. But I believe the imputation to be as false as the prediction is intended to be mischievous.

There is no squeamishness at the South, on the part of the rebels, in making use of the slaves to carry on their treasonable purposes. They are used in every way, not merely to provide food and raise cotton, but to make rifle-pits, construct batteries, and perform military service. There are two regiments of black soldiers at Centreville, with more than a thousand man each, compelled to engage in the work of butchering those who are loyal to the Union! Yet the Government can have them all any hour it chooses to insure their liberty. Refusing to do this, is not the Government itself practically guilty of treason to that extent, and making its overthrow doubly sure? This is a serious inquiry, and it ought to be answered in a serious manner.

The worst traitors are those who claim an exemption for the rebels from loss of slave property, which the rebels themselves do not demand. I turn to the latter, and ask, "Do you claim anything of us?" "Nothing, except to hate and spurn you." "Do you claim anything of the Constitution?" "Nothing, except the right to trample it beneath our feet." "Do you deny that we have a right to abolish slavery, if we can, since you have treasonably withdrawn from the Union?" "No—we do not deny it; we counted the cost of secession, and took all the risk; you have not only the right, as a war power, to liberate every slave in our possession, but [aside], if you are not idiots, you will do so without delay." What if they had a similar advantage on their side? What if there were eight hundred thousand men at the North, qualified to bear arms, who at a signal could be made to co-operate for the triumph of secession? Do you suppose they would allow such an opportunity to pass unimproved for one moment? If they do not pretend to have any rights under the old Constitution, are they not more to be detested than the rebels who, here at the North, still insist that they have forfeited none of their rights as slaveholders under that instrument?

This struggle can be happily terminated only in one way—by putting "FREEDOM FOR ALL" on our banner. We may then challenge and shall receive the admiration and support of the civilized world. We shall not then be in any danger from abroad. No—although England has seemed to be hot, and combative, and inclining southward; although the English Government has taken us at disadvantage, with a menacing aspect, in the Mason and Slidell affair; and although the London *Times* and other venal presses, bribed with secession gold, have indulged in contemptuous and bullying language toward the American Government, yet I think I know something of the English heart—and I hesitate not to say that, in spite of all these unfriendly demonstrations, the heart of the English people, the bone and muscle and moral force of the nation, beats sympathizingly with the North rather than with the South [applause]; though we have not secured that sympathy to

the full extent, because of the manner in which we have dealt with the slavery question. I will venture to say that any Northern man, intelligent and qualified to address a public assembly, may travel from "the Land's End to John o' Groat's House, and wherever he shall meet a popular assembly, and fairly present the issue now pending before them, so that they can understand it, he will "bring down the house" overwhelmingly in support of the Government, and against the traitorous Secessionists. [Loud applause.]

Shall I refer to one representative man of the middle classes, John Bright [reiterated and long-continued applause], whose recent masterly analysis of this tangled American question, before his constituents at Rochdale, will brighten his name and fame as the discriminating, fearless, and eloquent champion of freedom at home and abroad? He represents the people of England, in the best meaning of that word. Richard Cobden, too, stands by his side, and renders the same enlightened verdict. [Applause.] And on that side of the Atlantic, there is not a more firm, faithful, and earnest supporter of this Government, in its struggle to uphold the Democratic theory, and to put down the tory sentiment of the South—for slavery is toryism run to seed—than the calumniated but eloquent and peerless advocate of negro emancipation, George Thompson. [Cheers.]

Ladies and gentlemen, I thank you a thousand times over for your patient indulgence in so protracted a speech, and for the approval you have bestowed upon my sentiments. We will go forward in the name of God, in the spirit of liberty, determined to have a country, and a whole country—a Constitution, and a free Constitution—a Union, and a just and glorious Union, that shall endure to the latest posterity; and when we shall see this civil war ended, every bondman set free, and universal liberty prevailing from the Atlantic to the Pacific, we may exultingly repeat the language of one* who, in his youthful days, seemed to have the flame of liberty glowing burning in his soul:

"Then hail the day when o'er our land
The sun of freedom shone;
When, dimmed and sunk in Eastern skies,
He rose upon our own,
To chase the night of slavery,
And wake the slumbering free!
May his light shine more bright,
May his orb roll sublime,
Till it warm every clime,
And illumine from sea to sea!"

[Applause.]

* Caleb Cushing.

THE WAR:

NOT FOR EMANCIPATION OR CONFISCATION.

*A Speech by Hon. Garrett Davis, of Kentucky, delivered in the U. S. Senate,
January 23, 1862. Revised by the Author.*

MR. DAVIS commenced speaking on the 22d, upon a resolution expelling Senator Bright, of Indiana, but gave way for the Senate to go into executive session. On the 23d he finished his very able argument on the resolution, and concluded by dealing with the subject of emancipation in reply to several Senators, among whom were Mr. Sumner, of Massachusetts, and Mr. Harlan, of Iowa, to whom it will be noticed he makes allusion. After introducing the subject, and paying a high tribute to John Quincy Adams, he spoke as follows:

I AM for putting down this rebellion. I am for visiting the leaders with every punishment that can be constitutionally inflicted. So far as you can hang the leaders, I say, in the name of justice and of our country, hang them. So far as you can constitutionally forfeit their property—and forfeiting and confiscation are different things—forfeit it. In confiscation, the property goes into the king's exchequer. In forfeiture, it may go to the king, and will go to him, unless there is a different destination expressed; or it may go to the public, or it may go to individuals. I say forfeit all the estate you can constitutionally of those who have taken an active part in this rebellion; and instead of vesting it in the nation—in the United States, if that is disagreeable to gentlemen—forfeit it to the innocent and true and faithful men who have been impoverished, and whose families have been reduced to penury and want by the ravages of this war. Let it make atonement to them. There is a just retribution—in my judgment a constitutional retribution. Let that retribution be made. You may make it in that form without any violation of the Constitution.

At this point let me put a question to the Senator from Massachusetts. While that assembly of sages and of patriots were deliberating upon the formation of the Constitution at Philadelphia, they despaired at one time of being able to accomplish anything, and were about to separate in despair and give up their country in hopeless despondency. Franklin advised that they should appeal to the throne of grace for instruction and light. That appeal was made, and the fruits were afterward manifested in the adoption of the Constitution. Suppose that any member of that convention

had proposed to incorporate into the Constitution, in explicit words, just the powers for which the gentleman now contends, how many votes in the convention would such a constitution have obtained? If it could have passed that ordeal, and had come to be submitted, as it was directed and advised by the members of the convention to be submitted, to the people of the States in convention (not in their State government, not to their legislatures, but to the people of the States in their power and capacity, sitting in sovereign convention), how many of the States would have approved of a constitution containing express provisions granting the powers which the gentleman now claims? The Constitution never would have been made.

A few more words, Mr. President, and I have done, and I make my humble apology to the Senate for having detained it so long. The gentleman said that slavery was the cause of this rebellion. In my judgment it has many causes. If the word "slavery" had never been spoken in the halls of Congress, there would have been no rebellion, as I think. One of the remote causes of this rebellion was the acquisition of Texas. I chanced to be a member of the other House when the joint resolution usurping the treaty-making power was introduced in the House of Representatives to admit Texas as a State into the Union. A treaty had been negotiated to that effect a few weeks before by Mr. Calhoun, as secretary of state for Mr. Tyler. The Democratic party, though they wanted to use Tyler to subvert and overthrow the party which placed him in power, never intended to make him their chief, and themselves never confided any power to him. They determined that he and his administration should never have the Jeffersonian glory and fame of having added such a province as Texas to the United States of America.

They therefore voted down that treaty; they would not allow it to get a two-third vote in the Senate, which was requisite. In a few weeks afterward a joint resolution, admitting Texas, a foreign territory, into the Union, was introduced. I say that no constitution was ever more palpably and flagitiously violated than was the Constitution of the United States by the introduction and passage of that resolution. It is preposterous and absurd to say that Congress, the legislative department of the Government, clothed with no part or parcel of the treaty-making power, may admit foreign territory into the United States either as Territory or State. I voted against it then. It is no precedent to me now. It is such a

monstrous absurdity that I would not give the act the least consideration if a parallel proposition were now to be offered.

What were the fruits of the annexation of Texas? I allude to that to show how the woof of vice and of crime is interwoven, and how it progresses. Mexico took exception to that act, and she marched her army to Corpus Christi, and under Polk's administration that army was met at Palo Alto and at Resaca de la Palma, by that old son of Mars, Zachary Taylor, and it was overthrown. What did Polk do? He sent a message to Congress declaring that American blood had been shed upon American soil, and asking Congress to repel the invasion. It is a historical and a geographical fact, as demonstrable as such facts can be, that Corpus Christi never had been any part of Texas until it was usurped after the battle of San Jacinto; that when Texas was one of the Mexican states, and one of the Spanish provinces, it had never been any part of Texas. What did Congress do? It recognized the war. I voted against the war, and I denounced the position of the President that American blood had been shed upon American soil as a falsehood; and I think that I conclusively proved it to be so in a speech that I made upon the subject in the House of Representatives.

What then took place? As a continuation of that line of policy, I say, came the war with Mexico. I voted against recognizing that war. I voted against it not only for the reason I have stated, but for another reason. I knew that the result of the war would be the acquisition of more territory; and that whenever we got more territory, this apple of discord, this perpetual, this accursed question of negro slavery would again be thrown in to divide and to distract the people. I then went out of Congress, and now have returned. If I had been present in 1821 I might have voted against the Missouri compromise; it is probable I should have done so; but after it had been passed, and had given peace and quiet to the land for a generation, I was utterly opposed to its disturbance; and if I had been a member of either House of Congress in 1854, I should have voted, and I should have exerted myself to preserve that compromise inviolate. When Kansas was sought to be admitted, and the Lecompton constitution was pressed upon Congress for adoption, I investigated the subject, and I admitted and believed and said publicly and boldly that it was a most outrageous and palpable fraud; and if I had been here in 1858 I should have voted against the admission of Kansas under the Lecompton constitution.

Mr. President, I am here as the humblest member of this body;

but I am here not as a factionist, not as a party man. I belong to no party. I am too old; my remaining years on earth are too few for me ever to expect to wear another party collar. I am here to vote, and to do what I deem to be right upon every question, upon every measure, as it comes up in this House, according to the lights of my information and of my reason. I am utterly opposed to this emancipation. Oh! in the name of our country, as gentlemen hope to restore this Union, to crush out this rebellion, to bring the traitors to justice and to condign punishment, let them suspend until that consummation any policy or measures which introduce discord. Until this war closes in triumphant success, in the glorious reconstruction of the Union, in the assertion of the majesty of the Constitution and the laws, let us have unity and peace among all men who want to bring about these results.

I was pained, and inexpressibly pained, the other day, when my new but most respected friend from Iowa (Mr. Harlan) signified his willingness to put arms in the hands of the slaves. When that is done, I would say to my friend that all hope of the reconstruction of this Union is gone—gone forever. Oh! you do not know what horrors such a measure might produce. Recur to your early reading; examine again in our Library the history of the insurrection in San Domingo, with all its blood and atrocities, the reading of which makes human nature shudder. I have seen men refugees from the servile insurrection of San Domingo, and the living, glowing, horrid colors in which they painted those scenes to me, haunt my memory to this day. Read the accounts of the alarm produced in Richmond many, many years ago by the meditated insurrection by the slave Gabriel; trace the limited, but bloody and frightful course of the more recent servile revolt in Southampton. But a few days since, when England seemed to choose this time of our division and civil war to pick a quarrel with us, both the mother country and Canada sent out a rally cry to the fugitive slaves in her provinces to form themselves into companies and regiments to take part in a war against this country, in invading the United States, and, no doubt, particularly the slave States. When they come as invaders, with arms in their hands, and address to their kindred and their race, who are enslaved by us, words of passion and hate and vengeance, and put arms into their hands, it will be like letting the young tiger taste of blood. When he gets the taste, his savage fury will soon know no bounds, and he will glut every infernal passion.

Sir, I am acquainted with the negro race. I have been born in the same family with them. I have grown up with them. I have played with them. They have shared with me my joys and my sorrows. I have shared with them theirs. I own slaves now. Next to my wife and my children, I would defend my slaves, and would guard them from every wrong; and that is the universal sentiment of the slaveholders in my State. I wish you would come among us and see the institution there. My slaves are not for sale. There is no money that would buy my faithful and contented slaves; and they are all so, so far as I know. I have not seen a slave chastised for twenty years; and it is a rare occurrence that you hear of it in my State. They are clothed well, they are fed well, they are housed well, they have every attention of the most skillful physicians that the members of the white family have. Yes, and in the midst of cholera and pestilence and death, their owners stand by them and share the malaria and the infection with them. I have seen it done again and again. If it was not egotism, I would say that I have performed that part myself, without any regard to consequences or the peril of my life, and I would do it forever.

The perpetual agitation of the slave question is what has brought on this rebellion. I admit that slavery has been one of the causes; a remote cause, but a pretty powerful one. The cotton States, by their slave labor, have become wealthy, and many of their planters have princely revenues—from \$50,000 to \$100,000 a year. This wealth has begot pride and insolence and ambition, and these points of the Southern character have been displayed most insultingly in the halls of Congress. I admit it all. But in these Southern States, and among these planters, are some of the truest gentlemen, in the highest sense of the word, that I have ever known, and some of the purest patriots. I admit, however, that, as a class, the wealthy cotton-growers are insolent; they are proud; they are domineering; they are ambitious. They have monopolized the Government in its honors for forty or fifty years, with few interruptions. When they saw the scepter about to depart from them in the election of Lincoln, sooner than give up office, and the spoils of office, in their mad and wicked ambition they determined to disrupt the old Confederation and to erect a new one, where they would have undisputed power. I am for meeting them in that unholy purpose of theirs. I want them met in battle array. Whenever they send an army in the field, I want that army met and overthrown.

They had some reason to complain of a few old women and fanatical preachers and madmen in the Northern States, who were always agitating this question; but nine out of ten of the Northern people were sound upon the subject. They were opposed to the extension of slavery, and I do not condemn them for that; but they were willing to accord to the slaveholder and to the slave States all their constitutional rights.

I think that the last Congress made a great mistake in not accepting Mr. Crittenden's compromise. It would have left the cotton States without a pretext by which they could have deluded and misled the masses of the people. The last letter that Old Hickory wrote—and there is a gentleman now in this body who has it in his possession—said that the tariff was only a pretext for the disturbance in the form of nullification in 1832-'33; that they meditated treason and a separate Southern empire or confederation; that they only seized that as the pretext for making their outbreak, and that they would next seize upon the slave question as another pretext. They have done so.

Mr. President, both sides have sinned, North and South, the extreme men. I could live by these gentlemen who surround me as neighbors, holding my slaves, and they opposed to the institution. I would do it in the most perfect security, and they would do it without infringing on any of my rights. I know they would; but it is not so with the extreme men; I am afraid it is not so with the gentleman from Massachusetts, to whom I have been addressing some of my remarks. I would fain hope it was so, and I shall rejoice to find that I am mistaken. But what say some of these extreme Northern men about slavery and about the Constitution? Here is what one says:

"The Constitution is a covenant with death and an agreement with hell."—*The Liberator*.

"No union with slaveholders."—*Ibid*.

There is proscription, without condition, inexorable and forever. "No union with slaveholders." It is that fanatical sentiment that has brought many of them to curse and to execrate the memory of Washington, as well as of the Constitution. Here is what another of them has said:

"The anti-slavery party had hoped for and planned disunion because it would lead to the development of mankind and the elevation of the black man."—*Wendell Phillips*.

Phillips gives his sympathies, as the gentleman from Indiana gives his, to the Southern confederation, and he says "the South

deserved to succeed because she had exhibited better statesmanship and more capacity for control." The Abolitionists subscribe to a memorial to Congress that contains this prayer :

"That amid the varied events which are constantly occurring, and which will more and more occur during the momentous struggle in which we are engaged, such measures may be adopted as will insure emancipation."

That is the great end and object for which many of these fanatics contend; it is not the re-establishment of the Constitution. I want the Constitution re-established as Washington made it. In attempting to put down this rebellion and to prevent a revolution, I do not want Congress itself to inaugurate and consummate a revolution. No, Mr. President, let Congress do its duty in this war faithfully, fearlessly. The people are doing theirs; they have come up to the rescue of the imperiled capital and Government as no people ever came up before. Yea, from the east to the west, especially in the free States, they are as one man. Kentucky has been invaded. The Confederate government has avowed that it will have Kentucky and Maryland and Missouri. They proclaimed, when they invaded Kentucky, that Kentucky was necessary to the Southern confederation, and they would have it at the cost of blood and of conquest. I am for meeting them, not only with sword, but with sword and shield, and I am for fighting them to extermination until we beat them back, having profaned so outrageously our soil. Our brothers of the northwestern States, and of the extreme northwestern States, have come to our rescue with a generosity and a devotion and a brotherhood that fill us with admiration and gratitude. Never, oh! never were there more welcome visitants to any country. They have seen us; they have seen our institutions; we have seen them; we have become better acquainted with each other, and we have learned to esteem each other more truthfully and correctly. They are beginning to marry our daughters, and we will send our sons to marry their daughters, and let us establish a union of hearts and a union of hands that will last forever.

Why, Mr. President, Kentucky has almost peopled the northwestern States, especially Indiana and Illinois. I have no doubt that one fourth of the people of Indiana are either native-born Kentuckians or the sons and daughters of native-born Kentuckians. They are bone of our bone and flesh of our flesh. When you offer to the Union men of Kentucky the choice, whether they will remain united forever with Indiana and Ohio and Illinois, or go with Georgia and South Carolina and Florida, they will answer,

"A thousand fold will we be united rather with the Northwest than with those distant States.

They have proved their truth to the Union; they have proved their sympathy and their kindred to us. When they were young, Kentucky sent forth its chivalry, and shed its blood in their defense. In Harmer's and St. Clair's campaigns the unbroken wilderness was made red with the best blood of Kentucky. At Tippecanoe, in 1811, Indiana received from Kentucky the same oblation. In the war of 1812, Ohio, Indiana, and Michigan all had Kentucky blood poured out as water to drive the savage foe, both British and Indian, from their borders; and never, never was there a call upon Kentucky, that her true and brave sons did not go to the defense of their common country in these sister States. We felt that these States owed us something; but oh! how nobly and truthfully and fully are they paying the debt. I have seen mothers and daughters, fathers and sons—the whole population assembled all through my portion of Kentucky to meet and to greet these coming hosts from Ohio and Indiana, to protect their Government, and to protect that State which had protected them in bygone days. And oh! what meetings they were, what an outpouring of the heart and of all its truest and best sympathies! I have been in their camps, I have mingled with their officers, I have conversed with their soldiers, I have addressed their regiments; they have elected me honorary member of their regiments. I know your Cills and your Nortons, your Harrises, your Heckers, foreigners and natives, who are commanders of these regiments. I know that they have as nine to one expressed to me that their purpose, and their only purpose in waging this war, was the restoration of the Union and the vindication of the Government, and not to war upon slavery. Thus writes one of them from the camp at Glenn's Fork, Pulaski County, and no doubt this gallant son of Indiana was in the late hard-fought battle there.

"As an Indianian, and a member of the army of the Union, I can not fail to express my satisfaction at the just and conservative course of the *Louisville Journal* on the slavery question. Indiana is not fighting for the emancipation of the slaves, but for the restoration of law and order. When that shall have been accomplished, our mission is ended.

"Out of the officers and soldiers of the Tenth Indiana, I do not know of one Abolitionist. If Congress would legislate for the benefit of *white men*, and let the negro alone, it would be better."

And oh! how much better it would be! That is the instinct of truth and patriotism, of mind and heart; and that utterance nine tenths of the soldiery of the Northwest speak and will speak for-

ever. If, sir, you had proposed your measure before this grand and all-conquering army had been collected together, and told them it was to be a war upon slavery, you would never have had one fourth of the host in the field that you have. When a party wins power, the best way to preserve it is to use it in moderation, and especially within the Constitution. Fanaticism and passion and excitement never did and never will wisely legislate for or govern any country. Senators, you are supposed to act, not from passion and a desire of vengeance and to punish, but from reason and patriotism, and right and truth, and eternal justice. If you act upon these principles, and allay the swelling passions as they rise in your bosoms, I am not afraid to trust you.

But, Mr. President, these fanatics, these political and social demons—your Greeleys, your Cheevers, your Phillipses, and your Garrisons—that come here, like spirits from the infernal regions, to bring another pandemonium into our councils, to violate the Constitution, to walk to the destruction of slavery over all its broken fragments, and to oppose Lincoln, as honest and as pure a man as lives, because he does not go with them in their extreme opposition to slavery—what ought to be done with them? The utterances which I have read to you they have dared to give in this city. They have desecrated the Smithsonian Institution to the utterance of such sentiments. If secessionists or those who sympathize with them had made the same utterances, they would have been sent, and properly sent, to Fort Lafayette or to Fort Warren. What should you do with these monsters? I will tell you what I would do with them; that horrid monster, Greeley, and those other monsters, who are howling over this city like famished wolves after slavery—that slavery which was established by the Constitution and by Washington. What should be done with them? If I had the power, I would take them with the worst “secesh,” and I would hang them in pairs. [Sensation.] I wish before God that I could inflict that punishment upon them. It would not be too severe. They are the agitators; they are disunionists; they are the madmen who are willing to call up all the infernal passions and all the horrors of servile war, and to disregard utterly the Constitution, and march triumphantly over its broken, disjected fragments to attain their unholy purposes, and I am too fearful that the honorable gentleman from Massachusetts sympathizes with them.

Mr. President, I most humbly ask the pardon of the Senate for

this desultory, lengthy, and discursive discourse. I trust I have wounded the feelings of no gentleman. It was not my purpose to do so; it was far from my purpose. I want the Union restored. If it is to be restored, it is by the instrumentality of the President of the United States. In his integrity and patriotism and truth I place implicit confidence. He is a moderate man in his principles. He is a just man. He is a wise man. If he were left to his own counsels, to the suggestions of his own reason, to the impulses of his own heart, if he had a little more of the stern and iron element of a Clay or an "Old Hickory," and would act out his own will, and repress the men whose pestilent counsels distract him and neutralize his efforts to bring this war to a speedy and to a triumphant close, I think that he would act his part more nobly and with more success. So far as I am concerned, he has my confidence and my respect. I can clothe him with no power by my vote to carry on this war vigorously and successfully, within the Constitution, that I will withhold from him. I want the aid of Black Republicans and Republicans and Democrats and all, in this holy work. I care not what laurels and honors and hopes of future emolument and office any man may win.

I admired, beyond measure almost, the dead hero Lyon. In my judgment, he showed himself more of a warrior than any man who has yet exhibited himself in the field during this struggle. The moment that he detected the purposes of Camp Jackson at St. Louis, he moved upon it and captured it and all of its hosts. When the traitor Jackson, the disloyal governor of Missouri, issued his treasonable proclamation, and fled toward Booneville, the active, the dauntless, and the military Lyon was after him with his army, and overtook and dispersed his hosts to the wind. He and Sigel, a foreigner, but a warrior, himself a man of military education, a genius naturally, met the foe at Carthage, and fought a small battle, but one of the most perfect battles, in my judgment, of which history gives any record. Then the enemy returned in a vast host to Springfield. With an inferior army, Lyon and Sigel met them again. Two regiments were at Rolla that ought to have been sent to reinforce them, but they were not sent; if they had been, our arms might have won the day. Lyon, to save the cause of his country and of Missouri, made the battle. He rushed into the thickest of the fight, and he fell a voluntary martyr to his country's cause, and then Sigel made one of the most masterly retreats that I have read of. I wish that that dead hero was now

alive, again to marshal our armies to victory and to help to deliver the country from its imperiled condition. Mr. President, let any warrior come who has capacity to bring it to a close or to contribute materially to its success, I care not what his politics, I give him my faith, my support, my admiration, my gratitude, and so will my State, or the Union portion of it. We want the assistance of everybody, of every Union man to bring this war to a close, and we trusted, before I left home, and I still trust, that these discordant questions, these measures which must divide us, will be left unattempted, at least until the war has crushed out the most wicked and infamous rebellion that ever was made in the tide of time.

AFRICAN SLAVERY,

THE CORNER-STONE OF THE SOUTHERN CONFEDERACY.

A Speech by Hon. Alexander H. Stephens, Vice-President of the Confederate States of America, delivered at the Athenæum, Savannah, March 22, 1861.

The Mayor, who presided, introduced the speaker with a few pertinent remarks, and Mr. Stephens was greeted with deafening rounds of applause, after which he spoke as follows:

MR. MAYOR AND GENTLEMEN OF THE COMMITTEE, AND FELLOW-CITIZENS—For this reception, you will please accept my most profound and sincere thanks. The compliment is doubtless intended as much, or more perhaps, in honor of the occasion, and my public position in connection with the great events now crowding upon us, than to me personally and individually. It is, however, none the less appreciated on that account. We are in the midst of one of the greatest epochs in our history. The last ninety days will mark one of the most memorable eras in the history of modern civilization.

[There was a general call from the outside of the building for the speaker to go out; that there were more outside than in. The Mayor rose and requested silence at the doors; said Mr. Stephens's health would not permit him to speak in the

open air. Mr. Stephens said he would leave it to the audience whether he should proceed indoors or out. There was a general cry indoors, as the ladies—a large number of whom were present—could not hear outside. Mr. Stephens said that the accommodation of the ladies would determine the question, and he would proceed where he was. At this point the uproar and clamor outside were greater still for the speaker to go out on the steps. This was quieted by Col. Lawton, Col. Foreman, Judge Jackson, and Mr. J. W. Owens, going out and stating the facts of the case to the dense mass of men, women, and children who were outside, and entertaining them in short, brief speeches, Mr. Stephens all this time quietly sitting down until the furor subsided.]

Mr. Stephens rose and said—When perfect quiet is restored I shall proceed. I can not speak as long as there is any noise or confusion. I shall take my time. I feel as though I could spend the night with you, if necessary. [Loud applause.] I very much regret that every one who desires can not hear what I have to say, not that I have any display to make, or anything very entertaining to present; but such views as I have to give I wish *all*, not only in this city, but in this State, and throughout our Confederate Republic, could hear, who have a desire to hear them.

I was remarking that we were passing through one of the greatest revolutions in the annals of the world. Seven States have, within the last three months, thrown off an old government, and formed a new. This revolution has been signally marked, up to this time, by the fact of its having been accomplished without the loss of a single drop of blood. [Applause.] This new constitution, or form of government, constitutes the subject to which your attention will be partly invited.

In reference to it, I make this first general remark: It amply secures all our ancient rights, franchises, and privileges. All the great principles of Magna Charta are retained in it. No citizen is deprived of life, liberty, or property but by the judgment of his peers, under the laws of the land. The great principle of religious liberty, which was the honor and pride of the old Constitution, is still maintained and secured. All the essentials of the old Constitution, which have endeared it to the hearts of the American people, have been preserved and perpetuated. [Applause.] Some changes have been made; of these I shall speak presently. Some of these I should have preferred not to have been made, but these perhaps meet the cordial approbation of a majority of this audience, if not an overwhelming majority of the people of the Confederacy. Of them, therefore, I will not speak. But other important changes do meet my cordial approbation. They form great improvements on the old Constitution. So, taking the whole new Constitution, I have no hesitancy in giving it as my judgment that it is decidedly better than the old. [Applause.] Allow me

briefly to allude to some of these improvements. The question of building up class interests, or fostering one branch of industry to the prejudice of another, under the exercise of the revenue power, which gave us so much trouble under the old Constitution, is put at rest forever under the new. We allow the imposition of no duty with a view of giving advantages to one class of persons, in any trade or business, over those of another. All, under our system, stand upon the same broad principles of perfect equality. Honest labor and enterprise are left free and unrestricted in whatever pursuit they may be engaged. This subject came well nigh causing a rupture of the old Union, under the lead of the gallant Palmetto State, which lies on our border, in 1833.

This old thorn of the tariff, which occasioned the cause of so much irritation in the old body politic, is removed forever from the new. [Applause.] Again, the subject of internal improvements, under the power of Congress to regulate commerce, is put at rest under our system. The power claimed by construction under the old Constitution was, at least, a doubtful one—it rested solely upon construction. We, of the South, generally apart from considerations of constitutional principles, opposed its exercise upon grounds of expediency and justice. Notwithstanding this opposition, millions of money in the common Treasury had been drawn for such purposes. Our opposition sprung from no hostility to commerce, or all necessary aids for facilitating it. With us it was simply a question upon *whom* the burden should fall. In Georgia, for instance, we had done as much for the cause of internal improvements as any other portion of the country, according to population and means. We have stretched out lines of railroads from the seaboard to the mountains; dug down the hills and filled up the valleys at a cost of not less than \$25,000,000. All this was done to open up an outlet for our products of the interior, and those to the west of us, to reach the marts of the world. No State was in greater need of such facilities than Georgia, but we had not asked that these works should be made by appropriations out of the common Treasury. The cost of the grading, the superstructure, and equipments of our roads was borne by those who entered upon the enterprise. Nay, more, not only the cost of the iron, no small item in the aggregate cost, was borne in the same way, but we were compelled to pay into the common Treasury several millions of dollars for the privilege of importing the iron after the price was paid for it abroad. What

justice was there in taking this money, which our people paid into the common Treasury on the importation of our iron, and applying it to the improvement of rivers and harbors elsewhere?

The true principle is, to subject commerce of every locality to whatever burdens may be necessary to facilitate it. If Charleston harbor needs improvement, let the commerce of Charleston bear the burden. If the mouth of the Savannah River has to be cleared out, let the sea-going navigation which is benefited by it bear the burden. So with the mouths of the Alabama and Mississippi rivers. Just as the products of the interior, our cotton, wheat, corn, and other articles have to bear the necessary rates of freight over our railroads to reach the seas. This is again the broad principle of perfect equality and justice. [Applause.] And it is specially held forth and established in our new Constitution.

Another feature to which I will allude is, that the new Constitution provides that cabinet ministers and heads of departments shall have the privilege of seats upon the floor of the Senate and House of Representatives—shall have the right to participate in the debates and discussions upon the various subjects of administration. I should have preferred that this provision should have gone further, and allowed the President to select his constitutional advisers from the Senate and House of Representatives. That would have conformed entirely to the practice in the British Parliament, which, in my judgment, is one of the wisest provisions in the British Parliament. It is the only feature that saves that government. It is that which gives it stability in its facility to change its administration. Ours, as it is, is a great approximation to the right principle.

Under the old Constitution a secretary of the Treasury, for instance, had no opportunity, save by his annual reports, of presenting any scheme or plan of finance or other matter. He had no opportunity of explaining, expounding, enforcing, or defending his views of policy; his only resort was through the medium of an organ. In the British Parliament the premier brings in his budget, and stands before the nation responsible for its every item. If it is indefensible, he falls before the attacks upon it, as he ought to. This will now be the case to a limited extent under our system. Our heads of departments can speak for themselves and the administration, in behalf of its entire policy, without resorting to the indirect and highly objectionable medium of a newspaper. It

is to be greatly hoped that under our system we shall never have what is known as a government organ. [Rapturous applause.]

[A noise again arose from the clamor of the crowd outside, who wished to hear Mr. Stephens, and for some moments interrupted him. The Mayor rose and called on the police to preserve order. Quiet being restored, Mr. S. proceeded.]

Another change in the Constitution relates to the length of the tenure of the Presidential office. In the new Constitution it is six years instead of four, and the President rendered ineligible for re-election. This is certainly a decidedly conservative change. It will remove from the incumbent all temptation to use his office or exert the powers confided to him for any objects of personal ambition. The only incentive to that higher ambition which should move and actuate one holding such high trusts in his hands will be the good of the people, the advancement, prosperity, happiness, safety, honor, and true glory of the Confederacy. [Applause.]

But not to be tedious in enumerating the numerous changes for the better, allow me to allude to one other—though last, not least: The new Constitution has put at rest, *forever*, all agitating questions relating to our peculiar institution—African slavery as it exists among us—the proper *status* of the negro in our form of civilization. This was the immediate cause of the late rupture and present revolution. Jefferson, in his forecast, had anticipated this, as the “rock upon which the old Union would split.” He was right. What was conjecture with him is now a realized fact. But whether he fully comprehended the great truth upon which that rock *stood* and *stands*, may be doubted. The prevailing ideas entertained by him and most of the leading statesmen at the time of the formation of the old Constitution were, that the enslavement of the African was in violation of the laws of nature; that it was wrong in *principle*, socially, morally, and politically. It was an evil they knew not well how to deal with, but the general opinion of the men of that day was that, somehow or other, in the order of Providence, the institution would be evanescent and pass away. This idea, though not incorporated in the Constitution, was the prevailing idea at the time. The Constitution, it is true, secured every essential guaranty to the institution while it should last, and hence no argument can be justly used against the constitutional guaranties thus secured, because of the common sentiment of the day. Those ideas, however, were fundamentally wrong. They rested upon the assumption of the equality of races. This was an

error. It was a sandy foundation, and the idea of a government built upon it; when the "storm came and the wind blew, it fell."

Our new government is founded upon exactly the opposite idea; its foundations are laid, its corner-stone rests upon the great truth that the negro is not equal to the white man. That slavery—subordination to the superior race—is his natural and moral condition. [Applause.]

This, our new government, is the first in the history of the world based upon this great physical, philosophical, and moral truth. This truth has been slow in the process of its development, like all other truths in the various departments of science. It has been so even among us. Many who hear me, perhaps, can recollect well that this truth was not generally admitted even within their day. The errors of the past generation still clung to many as late as twenty years ago. Those at the North who still cling to these errors, with a zeal above knowledge, we justly denominate fanatics. All fanaticism springs from an aberration of the mind—from a defect in reasoning. It is a species of insanity. One of the most striking characteristics of insanity, in many instances, is forming correct conclusions from fancied or erroneous premises; so with the anti-slavery fanatics; their conclusions are right, if their premises are. They assume that the negro is equal, and hence conclude that he is entitled to equal privileges and rights with the white man. If their premise were correct, their conclusion would be logical and just; but their premise being wrong, their whole argument fails. I recollect once of having heard a gentleman from one of the Northern States, of great power and ability, announce in the House of Representatives, with imposing effect, that we of the South would be compelled, ultimately, to yield upon this subject of slavery; that it was as impossible to war successfully against a principle in politics, as it was in physics or mechanics. That the principle would ultimately prevail. That we, in maintaining slavery as it exists with us, were warring against a principle, a principle founded in nature, the principle of the equality of man. The reply I made to him was, that upon his own grounds we should succeed, and that he and his associates in their crusades against our institutions, would ultimately fail. The truth announced that it was as impossible to war successfully against a principle in politics as in physics and mechanics, I admitted, but told him that it was he and those acting with him who were war-

ring against a principle. They were attempting to make things equal which the Creator had made unequal.

In the conflict thus far, success has been on our side, complete throughout the length and breadth of the Confederate States. It is upon this, as I have stated, our social fabric is firmly planted, and I can not permit myself to doubt the ultimate success of a full recognition of this principle throughout the civilized and enlightened world.

As I have stated, the truth of this principle may be slow in development, as all truths are, and ever have been, in the various branches of science. It was so with the principles announced by Galileo; it was so with Adam Smith and his principles of political economy. It was so with Harvey and his theory of the circulation of the blood. It is stated that not a single one of the medical profession, living at the time of the announcement of the truths made by him, admitted them. Now, they are universally acknowledged. May we not, therefore, look with confidence to the ultimate universal acknowledgment of the truths upon which our system rests? It is the first government ever instituted upon principles in strict conformity to nature, and the ordination of Providence, in furnishing the materials of human society. Many governments have been founded upon the principle of the enslavement of certain classes; but the classes thus enslaved were of the same race and in violation of the laws of nature. Our system commits no such violation of nature's laws. The negro by nature, or by the curse against Canaan, is fitted for that condition which he occupies in our system. The architect, in the construction of buildings, lays the foundation with proper materials—the granite—then comes the brick or the marble. The substratum of our society is made of the material fitted by nature for it, and by experience we know that it is best not only for the superior, but for the inferior race that it should be so. It is, indeed, in conformity with the ordinance of the Creator. It is not for us to inquire into the wisdom of His ordinances or to question them. For His own purposes He has made one race to differ from another, as He has made "one star to differ from another in glory."

The great objects of humanity are best attained, when conformed to His laws and decrees, in the formation of governments as well as in all things else. Our Confederacy is founded upon principles in strict conformity with these laws. This stone which was rejected by the first builders, "is become the chief stone of the corner" in our new edifice. [Applause.]

I have been asked, what of the future? It has been apprehended by some that we would have arrayed against us the civilized world. I care not who or how many they may be, when we stand upon the eternal principles of truth we are obliged and must triumph. [Immense applause.]

Thousands of people who begin to understand these truths are not yet completely out of the shell. They do not see them in their length and breadth. We hear much of the civilization and Christianization of the barbarous tribes of Africa. In my judgment, those ends will never be attained, but by first teaching them the lesson taught to Adam, that "in the sweat of thy brow shalt thou eat bread" [applause], and teaching them to work, and feed, and clothe themselves. But to pass on: some have propounded the inquiry, whether it is practicable for us to go on with the Confederacy without further accessions? Have we the means and ability to maintain nationality among the powers of the earth? On this point I would barely say, that as anxiously as we all have been and are for the Border States, with institutions similar with ours, to join us, still we are abundantly able to maintain our position, even if they should ultimately make up their minds not to cast their destiny with ours. That they ultimately will join us—be compelled to do it—is my confident belief, but we can get on very well without them, even if they should not.

We have all the essential elements of a high national career. The idea has been given out at the North, and even in the Border States, that we are too small and too weak to maintain a separate nationality. This is a great mistake. In extent of territory we embrace 564,000 square miles and upward. This is upward of 200,000 square miles more than was included within the limits of the original thirteen States. It is an area of country more than double the territory of France or the Austrian Empire. France, in round numbers, has but 212,000 square miles. Austria, in round numbers, has 248,000 square miles. Ours is greater than both combined. It is greater than all France, Spain, Portugal, and Great Britain, including England, Ireland, and Scotland together. In population we have upward of eight millions, according to the census of 1860; this includes white and black. The entire population, including white and black, of the original thirteen States, was less than 4,000,000 in 1790, and still less in '76, when the independence of our fathers was achieved. If they, with a less population, dared maintain their independence against the greatest

power on earth, shall we have any apprehension of maintaining ours now ?

In point of material wealth and resources we are greatly in advance of them. The taxable property of the Confederate States can not be less than \$22,000,000,000. This, I think, I venture but little in saying, may be considered as five times more than the colonies possessed at the time they achieved their independence. Georgia alone possessed last year, according to the report of our Controller-General, \$672,000,000 of taxable property. The debts of the seven Confederate States sum up, in the aggregate, less than \$18,000,000; while the existing debts of the other of the late United States sum up, in the aggregate, the enormous amount of \$174,000,000. This is without taking into the account the heavy city debts, corporation debts, and railroad debts, which press, and will continue to press, a heavy incubus upon the resources of those States. These debts, added to others, make a sum total not much under \$500,000,000. With such an area of territory—with such an amount of population—with a climate and soil unsurpassed by any on the face of the earth—with such resources already at our command—with productions which control the commerce of the world, who can entertain any apprehensions as to our success, whether others join us or not ?

It is true, I believe, I state but the common sentiment, when I declare my earnest desire that the Border States should join us. The differences of opinion that existed among us anterior to secession related more to the policy in securing that result by co-operation than from any difference upon the ultimate security we all looked to in common.

These differences of opinion were more in reference to policy than principle, and as Mr. Jefferson said in his inaugural, in 1801, after the heated contest preceding his election, there might be differences in opinion without differences in principle, and that all, to some extent, had been Federalists and all Republicans; so it may now be said of us, that whatever differences of opinion as to the best policy in having a co-operation with our border sister Slave States, if the worst come to the worst, that as we were all co-operationists, we are now all for independence, whether they come or not. [Continued applause.]

In this connection I take this occasion to state that I was not without grave and serious apprehension, that if the worst came to the worst, and cutting loose from the old government would be

the only remedy for our safety and security, it would be attended with much more serious ills than it has been as yet. Thus far we have seen none of those incidents which usually attend revolutions. No such material as such convulsions usually throw up has been seen. Wisdom, prudence, and patriotism have marked every step of our progress thus far. This augurs well for the future, and it is a matter of sincere gratification to me, that I am enabled to make the declaration of the men I met in the Congress at Montgomery (I may be pardoned for saying this), an abler, wiser—a more conservative, deliberate, determined, resolute, and patriotic body of men I never met in my life. [Great applause.] Their works speak for them; the Provisional Government speaks for them; the Constitution of the permanent Government will be a lasting monument of their worth, merit, and statesmanship. [Applause.]

But to return to the question of the future. What is to be the result of this revolution?

Will everything, commenced so well, continue as it has begun? In reply to this anxious inquiry, I can only say it all depends upon ourselves. A young man starting out in life on his majority, with health, talent, and ability, under a favoring Providence, may be said to be the architect of his own fortunes. His destinies are in his own hands. He may make for himself a name of honor or dishonor, according to his own acts. If he plants himself upon truth, integrity, honor, and uprightness, with industry, patience, and energy, he can not fail of success. So it is with us; we are a young Republic, just entering upon the arena of nations; we will be the architect of our own fortunes. Our destiny, under Providence, is in our own hands. With wisdom, prudence, and statesmanship on the part of our public men, and intelligence, virtue, and patriotism on the part of the people, success, to the full measures of our most sanguine hopes, may be looked for. But if we become divided—if schisms arise—if dissensions spring up—if factions are engendered—if party spirit, nourished by unholy personal ambition, shall rear its hydra head, I have no good to prophesy for you. Without intelligence, virtue, integrity, and patriotism on the part of the people, no republic or representative government can be durable or stable.

We have intelligence, and virtue, and patriotism. All that is required is to cultivate and perpetuate these. Intelligence will not do without virtue. France was a nation of philosophers. These philosophers became Jacobins. They lacked that virtue, that de-

votion to moral principle, and that patriotism which is essential to good government. Organized upon principles of perfect justice and right—seeking amity and friendship with all other powers—I see no obstacle in the way of our upward and onward progress. Our growth, by accessions from other States, will depend greatly upon whether we present to the world, as I trust we shall, a better government than that to which they belong. If we do this, North Carolina, Tennessee, and Arkansas can not hesitate long; neither can Virginia, Kentucky, and Missouri. They will necessarily gravitate to us by an imperious law. We made ample provision in our Constitution for the admission of other States; it is more guarded, and wisely so, I think, than the old Constitution on the same subject, but not too guarded to receive them as fast as it may be proper. Looking to the distant future, and, perhaps, not very distant either, it is not beyond the range of possibility, and even probability, that all the great States of the Northwest shall gravitate this way as well as Tennessee, Kentucky, Missouri, Arkansas, etc. Should they do so, our doors are wide enough to receive them, but not until they are ready to assimilate with us in principle.

The process of disintegration in the old Union may be expected to go on with almost absolute certainty. We are now the nucleus of a growing power, which, if we are true to ourselves, our destiny, and high mission, will become the controlling power on this continent. To what extent accession will go on in the process of time, or where it will end, the future will determine. So far as it concerns States of the old Union, they will be upon no such principle of *reconstruction* as now spoken of, but upon *reorganization* and new assimilation. [Loud applause.] Such are some of the glimpses of the future as I catch them.

But at first we must necessarily meet with the inconveniences, and difficulties, and embarrassments incident to all changes of government. These will be felt in our postal affairs and changes in the channel of trade. These inconveniences, it is to be hoped, will be but temporary, and must be borne with patience and forbearance.

As to whether we shall have war with our late confederates, or whether all matters of differences between us shall be amicably settled, I can only say that the prospect for a peaceful adjustment is better, so far as I am informed, than it has been.

The prospect of war is at least not so threatening as it has been.

The idea of coercion shadowed forth in President Lincoln's Inaugural seems not to be followed up thus far so vigorously as was expected. Fort Sumter, it is believed, will soon be evacuated. What course will be pursued toward Fort Pickens and the other forts on the Gulf, is not so well understood. It is to be greatly desired that all of them should be surrendered. Our object is *Peace*, not only with the North, but with the world. All matters relating to the public property, public liabilities of the Union when we were members of it, we are ready and willing to adjust and settle, upon the principles of right, equality and good faith. War can be of no more benefit to the North than to us. The idea of coercing us, or subjugating us, is utterly preposterous. Whether the intention of evacuating Fort Sumter is to be received as an evidence of a desire for a peaceful solution of our difficulties with the United States, or the result of necessity, I will not undertake to say. I would fain hope the former. Rumors are afloat, however, that it is the result of necessity. All I can say to you, therefore, on that point is, keep your armor bright and your powder dry. [Enthusiastic applause.]

The surest way to secure peace is to show your ability to maintain your rights. The principles and position of the present Administration of the United States—the Republican party—present some puzzling questions. While it is a fixed principle with them never to allow the increase of a foot of slave territory, they seem to be equally determined not to part with an inch “of the accursed soil.” Notwithstanding their clamor against the institution, they seem to be equally opposed to getting more, or letting go what they have got. They were ready to fight on the accession of Texas, and are equally ready to fight now on her secession. Why is this? How can this strange paradox be accounted for? There seems to be but one rational solution, and that is, notwithstanding their professions of humanity, they are disinclined to give up the benefits they derive from slave labor. Their philanthropy yields to their interest. The idea of enforcing the laws has but one object, and that is a collection of the taxes raised by slave labor to swell the fund necessary to meet their heavy appropriations. The spoils is what they are after, though they come from the labor of the slave. [Continued applause.]

Mr. Stephens reviewed at some length the extravagance and profligacy of appropriations by the Congress of the United States for several years past, and in this connection took occasion to

allude to another one of the great improvements in our new Constitution, which is a clause prohibiting Congress from appropriating any money from the Treasury except by a two-thirds vote, unless it be for some object which the Executive may say is necessary to carry on the Government.

When it is thus asked for and estimated, he continued, the majority may appropriate. This was a new feature.

Our fathers had guarded the assessment of taxes by insisting that representation and taxation should go together. This was inherited from the mother country—England. It was one of the principles upon which the Revolution had been fought. Our fathers also provided in the old Constitution that all appropriation bills should originate in the Representative branch of Congress; but our new Constitution went a step further, and guarded not only the pockets of the people, but also the public money, after it was taken from their pockets.

He alluded to the difficulties and embarrassments which seemed to surround the question of a peaceful solution of the controversy with the old Government. How can it be done? is perplexing many minds. The President seems to think that he can not recognize our independence, nor can he, with and by the advice of the Senate, do so. The Constitution makes no such provision. A general convention of all the States has been suggested by some. Without proposing to solve the difficulty, he barely made the following suggestions:

That as the admission of States by Congress under the Constitution was an act of legislation, and in the nature of a contract or compact between the States admitted and the others admitting, why should not this contract or compact be regarded as of like character with all other civil contracts—liable to be rescinded by mutual agreement of both parties? The seceding States have rescinded it on their part. Why can not the whole question be settled, if the North desire peace, simply by the Congress, in both branches, with the concurrence of the President, giving their consent to the separation, and a recognition of our independence? This he merely offered as a suggestion, as one of the ways in which it might be done with much less violence to constructions of the Constitution than many other acts of that Government. [Applause.] The difficulty has to be solved in some way or other—this may be regarded as a fixed fact.

Several other points were alluded to by Mr. S., particularly as to

the policy of the new Government toward foreign nations and our commercial relations with them. Free trade, as far as practicable, would be the policy of this Government. No higher duties would be imposed on foreign importation than would be necessary to support the Government upon the strictest economy.

In olden times the olive branch was considered the emblem of peace. We will send to the nations of the earth another and far more potential emblem of the same—the COTTON PLANT. The present duties were levied with a view of meeting the present necessities and exigencies, in preparation for war, if need be; but if we had peace—and he hoped we might—and trade should resume its proper course, a duty of ten per cent. upon foreign importations, it was thought, might be sufficient to meet the expenditures of the Government. If some articles should be left on the free list, as they now are, such as breadstuffs, etc., then, of course, duties upon others would have to be higher—but in no event to an extent to embarrass trade and commerce. He concluded in an earnest appeal for union and harmony, on the part of all the people, in support of the common cause, in which we are all enlisted, and upon the issues of which such great consequences depend.

If, said he, we are true to ourselves, true to our cause, true to our destiny, true to our high mission, in presenting to the world the highest type of civilization ever exhibited by man, there will be found in our lexicon no such word as Fail.

Mr. Stephens took his seat amid a burst of enthusiasm and applause such as the Atheneum has never displayed within its walls within “the recollection of the oldest inhabitant.”

OF THE
BIRTH AND DEATH
OF
NATIONS.

A THOUGHT FOR THE CRISIS.

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1862.

BIRTH AND DEATH OF NATIONS.

IN the primitive ages of the world, long before the dawn of history, while Prometheus lay chained to the rock, and the men of Shinar, dispersed by the divine anger, settled themselves in new habitations, there was sent into that far off eastern country, the earliest home of the race, a messenger from the celestial powers. With a virgin's head and face, she had the stalwart body of a lion and the strong wings of an eagle. She had been taught by those primeval intelligences and instructors of the gods, the Muses, and knew all the wisdom of the ages, past and to come; and her commission was to stand on the waysides, and in the great thoroughfares of the people, and put questions—riddles—to the passers by. Questions, doubtless very apt, significant and necessary to be put, but often, to that infant race, most obscure, enigmatical, and difficult of right answer. And yet there was no escape; answered they must be, wisely, justly, and to the point, under penalty of a sudden and sure destruction,—for such was the inexorable decree of the inscrutable Powers that ruled

that ancient world. To-day even, whoever likes and can afford it, may see her colossal image cut out of a black basaltic spur of the Libyan mountains, overlooking the Nile, a neighbor and meet companion of the great Pyramid of Cheops.

To the Greeks the SPHINX was the offspring of the Chimera. In disparagement of her authenticity, the sceptics call her a MYTH, as if the Myths were not the oldest and most indestructible facts in the history of the world. But by whatever name she may be called, from that remotest period of the ethnic formations of humanity, the beginnings of nations, even unto this day, have her arduous questions been propounded, and always with no jot or tittle of the old penalty abated—a right true answer or certain overwhelming ruin.

On no habitable summits of the earth, in any age of human history, have questions of a higher import or involving mightier interests, secular and eternal, been put to the sons of men, than those that to-day so urgently press themselves upon the consideration of the people of these United States. Nor can their just solution be any longer avoided or delayed, under forfeitures more disastrous and deplorable than any people ever before were called upon to pay. For this is the nineteenth century of the Christian era, and we live under its Master's unfailing word—"Unto whom much is given, much will be required." Very necessary is it then, that we should lift ourselves intelligently to the moral level of these questions, and in the faith that truth alone has the right to reign over the world and to govern its facts, without attempting to anticipate or forestall the

final dispositions of the Infinite Providence, make our answer fearlessly, in the light of that WORD, and of history.

And first of all, in the order of events as well as of the argument, it is demanded of us to answer by what RIGHT we call ourselves a nation, and claim to hold and rule as one INDIVISIBLE DOMAIN, all these broad territories, stretching from ocean to ocean?

The question is asked upon quite another and higher authority than that of any Confederate States' president or congress. Nor does the roar of their cannon constitute the most urgent reason for its prompt answer. That became necessary only in consequence of the obdurate dullness of the national ear to "the still small voices." Even so has it been from the beginning—"the still small voices" once became inaudible, and the Supreme Powers must needs commission the loud and ever louder ones, even unto the roar of whole batteries of rifled cannon. Already at Sumter, Bull Run, and elsewhere have these batteries belched forth such a denial of the nation's right to national existence, as leaves no doubt of the internecine nature of the hatred that so vents itself, and demonstrates the imminency of the crisis that urges us to a thorough examination of the grounds upon which the great battle must be fought, in order that *our* batteries may be planted upon the immovable foundations laid by the fathers, and our cannon charged not alone with the elemental forces of carbonized saltpetre, but, consubstantial with these, with the far more invincible logic of that Divine Word which in the beginning became flesh in this nation, and will, in

defiance of all the powers of darkness that assail it, have free course and be glorified in its history.

Let us, then, to begin with, clear our minds of that atheistical, impious, secession vagary—that a nation is a species of heterogeneous, accidental aggregation of men or of states, held together by a sort of “balance of interest treaty” or contract of copartnership, entered into for the purpose of establishing and carrying on the highly profitable business of stump oratory “for Buncombe,” securing “the spoils of victory” in certain annual games of ballot-box stuffing, and breeding “colored chattels” for the shambles of king cotton. This notion of the essential nature and purposes of our national existence, has now for several years been entertained, and by many distinguished politicians and leaders of the people, with no little energy, reduced to practice in these United States,—with what effect begins to be apparent enough. No more false or fatal emanation from the bottomless pit ever lodged itself in the human understanding, and the necessity of dislodging it with the truth seems just now very urgent indeed, to the present writer.

The TRUTH being that, even in the most rigorous scientific definition of it, a NATION is an organized body, and by no means a mere aggregation of individual men or independent communities; and so, like every other organized body, must from the very nature of things, incorporate its own distinctive organic force or Idea. Indeed, it is only in virtue of this distinctive organic idea, that it becomes a nation at all. To this merely formal statement of the truth, history, irradiated by the light of eighteen Christian cen-

turies, adds a far sublimer derivation and broader scope. It declares, that in the great epochs of the world, the Omnipotent Providence confides to a chosen people the revelation of a great truth, a great regenerative IDEA ; and that from thenceforth, that idea becomes for that people the germ of its national life and civilization—its soul, without which it could no more be a nation, than the human body could be a man without the human soul. For in this more excellent sense, a nation is but a larger form of humanity, a grander Cosmos or receptacle of the Divine Presence in the world. And it is this Presence, this fundamental idea, which constitutes the real substance of the national life, and determines the legitimate character and course of the national development and civilization.

This presence of a divinely posited fundamental idea, as vital force in the ethical evolution and growth of nations, is the highest, grandest fact in the history of the race. The sublimest theme of the oldest Scriptures is this doctrine of the genesis of all things from the Spirit “moving upon the face of the deep.” The first product being light, thought, idea—and then the idea emerging into articulate word, a FACT in time. Not only the solid earth, upon which to-day beats the heavy tramp of our armies, was so founded, but so were embodied and established all the several nations that have dwelt upon its surface, even unto that one whose “covenant of life” bears date on the fourth day of July, 1776, and contains these ever-memorable words, then first in the providential unfolding of the ages made audible to the ears of men :

“ALL MEN ARE CREATED EQUAL, ENDOWED BY THEIR

CREATOR WITH THE INALIENABLE RIGHTS OF LIFE, LIBERTY, AND THE PURSUIT OF HAPPINESS."

"America," said the great Earl of Chatham, in a memorable debate in the English House of Lords in 1770, "was settled upon ideas of liberty." By what Promethean struggle has every simplest truth, every human right, to get itself established on the earth! What a career had that English humanity to run from whence America sprung, before even the dimmest adumbration of human liberty could emerge into articulate expression, and obtain for itself some faint acknowledgment as natural human right; some dubious authority as the *Common Law*! And even now, it is only where that law prevails that any such liberty exists. For wherever the civil or Roman law is supreme, such liberty as it recognizes, exists only as a franchise, as founded in the idea of a grant from lord or sovereign to his subject; and the idea has proved itself stronger than all the might of the people. No number of French revolutions, not even a "reign of terror," has been able to prevail against it. Is it not necessary, then, to believe in the solidity and strength of ideas? The very fact is, that the whole interminable web of human history is woven, "upon the roaring loom of time," of nothing else but ideas.

Doubtless the words of the wise old statesman were most true: "America was indeed settled upon ideas of liberty," but not of liberty only. Ideas of a still broader scope and grander aim, wrought silently but strenuously in that settlement; ideas originating in the advent of the divine Manhood into the world, and the sublime transfigurations thereby effected in the status and history of the

race ; ideas of the equal dignity and worth of the common humanity, in its own spiritual substance, as the begotten of God, the bearer of his image, the continent of his presence in the world, and, by right of its own nativity, endowed with the faculty of "life, liberty, and the pursuit of happiness." In no merely pagan age, under no merely pagan development, could this idea have been evolved. All the previous ages of Hebrew and heathen longing and endeavor were necessary, doubtless, to the great gestation and the coming of that "fulness of time." But then, as a condition precedent, the highest, divinest man must have the humblest parentage, the lowest birthplace, most necessitous life, and most ignominious death. So much must become a fact of history, and to this fact must be conjoined the idea, not less a truth, that this humblest, most stricken man was a Divine Presence—the very Logos of God—the Light of the world. This, and eighteen hundred years besides, of human effort and travail, of human failure and divine grace, were required to rehabilitate human nature with its original divine right of sonship to God, and to evolve the great regenerative idea upon which America was founded, and in which lie enwombed the germ and vital forces of its whole national life, civilization, and well-being.

What less than this idea of the consubstantial equality of all men—of man in his own substance as man, without regard to the accidents of birth, fortune, education, or complexion—could have supplied a ground broad enough upon which to found a nationality, whose membership from the beginning was intended to embrace the outcasts and

expatriated of all the other nations and races of men ; and to whom should be given a whole continent for work-field ?

The advocates of what is called conservatism in England, which means simply a blind perpetuity of "the dead past," seem just now to take heart and jubilate amazingly over what they call a "failure of the democratic experiment." The men who for eight hundred years have held the proceeds of the great robbery committed by the hordes of William the Conqueror, and the men who have cunningly filched and funded the profits of the labor of the English worker for the same time, may naturally enough rejoice over even a semblance of failure of a system founded in ideas of human equality, and the right of the humblest man to enjoy the benefits of his own labor. But let them be assured that, whatever may be the issue of the present struggle in this country, there is not the least ground for their jubilation. In the first place, the "disruption" upon which they rely has arisen wholly out of a practical repudiation of the ideas upon which our "democratic institutions" were founded, and by no means out of any inherent defect in these ideas. In the second place, if the conspirators of the South should succeed in making the disruption permanent, and in founding a State upon a system which accomplishes even a worse robbery of human rights than that upon which older aristocracies are founded, it will not in the least constitute a failure of "democratic institutions," but rather purify and reinvigorate them, giving them new scope, power, and dignity, in the face of which no such system could long endure.

The truth is, that the perpetual mutations and revolu-

tions that so convulse and afflict European society have their source in the antagonisms arising out of the circumstantial, the accidental in human condition, and the overwhelming class interests, upon which that society is founded. Only upon that which is in itself durable, only upon the permanent element in human nature—the equal dignity and worth of manhood in its own spiritual substance—can any nationality or social polity be founded, which shall at once be permanent in its own nature and admit of a free development in all of its conditions. This is the ground of Christianity—the ground upon which God founds his own government of the world—the ethical evolutions of his own providence, and, as a great product of that providence, of our nationality and free democratic institutions.

And in this lies the answer to the question as to the nature of that right, by which we are authorized to call ourselves a nation. But no spiritual entity, no *Idea*, can be maintained in the world without giving it a body—without making it a fact. In no other way can the fundamental idea of our nationality be maintained, but by organizing it into our social institutions, manners, and laws—by making it, in all its grand and beneficent meaning, the basis of the actual state and condition of the whole nation. In this consists the real life and unity of the nation—its life and unity in its own essential substance. The ethnic formation, the body of the nation, is the product of this fundamental idea; and they only in whom the idea inheres, in whom it *lives*, and by whom it is faithfully developed, are in fact the nation.

Very important is it, at this conjuncture in our national

history, that all men should clearly comprehend the nature of this life, and the nature of that by which it may be fatally injured and subverted. By no amount of material power, by no number of battalions, can it be seriously affected or endangered, so long as the idea in which it subsists is retained in full force and virtue to vivify the hearts of the People. On the other hand, that which attacks, weakens, and tends to obliterate this idea, is to be regarded as the *implacable* enemy to whom no quarter can be given. For as surely as the great oak of the forest begins to wither and decay the moment it ceases to obey the vital forces contained in the germ from whence it sprung—the moment it ceases to *grow* in accordance with the law of its own organic life—so surely does a people begin to fall into ruin the moment it ceases to develop the fundamental idea of its own nationality, to work out its own appropriate civilization and history.

Can there be any doubt, then, as to our supremest, most sacred national obligations? What else from the beginning had we to do, but faithfully to execute the great providential trust confided to us, to make the broadest meaning of that solemn Declaration, fact in our history? Was not this the immutable condition of the covenant made by the fathers with God and humanity, in virtue of which we became invested with the *divine right* of nationality, and for the faithful performance of which they solemnly pledged, not only their own, but, as its representative head, “the life, the fortune and sacred honor” of the nation?

Has that solemn pledge been kept? Have we as a People fulfilled the conditions of that covenant of national

life? What, in truth, has been hitherto the purport of our national endeavors? Not to speak here of the unparalleled development of our material interests and our really great achievements in whatever appertains thereto; not to speak of the genuine, manly work performed with “axe and plough and hammer,” or of its appropriate reward, abundant crops of “Indian corn, and cotton, and dollars”—with a FREE PRESS, PULPIT, and BALLOT BOX—what have we really done, up to this year of our Lord, 1861, toward the accomplishment of the great providential undertaking committed to our hands?

The ear of the ancient Inscrutable Questioner listens for a right true answer; and however deeply the national brow may be suffused with the blush of shame, a right true answer is supremely necessary to the future safety and well-being of the nation. And the TRUTH, coined into the gentlest admissible terms, declares that to us as a people, whatever else we may have done of good or left undone of evil, belongs the *distinguished infamy* of having given birth to the idea, and developed into an *institution*, a scheme of human degradation in which a human soul is held bereft, not only of all civil liberty and rights, but of all its natural attributes—is held to be not a *person*, but a bit of *property*—not to possess even a *human* life, but only that of a *beast*, and as a beast is kept for breeding other beasts, (often with white men for sires,) for the public markets of the world; a scheme which rolls back the civilization of two thousand years, blots out the central idea of Christianity, and reestablishes a worse than pagan barbarism; and all this in the face of the great announcement, made

eighteen centuries ago, of God's all-beneficent intention to redeem, emancipate, and glorify the *nature* of his offspring—*human* nature. For what other meaning is there in that divine assumption of this nature, in its humblest condition? what other significance in the bewildered history of these centuries?

A cruel system of servitude did indeed exist among the ancient nations. But its fundamental idea was the idea of *authority*—authority absolute and monstrous, but still of authority and not of *property*. In ancient Greece, where the slave had no political or civil rights, his quality as a human being, as a man, was respected. It was only in Rome, that ultimate flower of all pagan cupidity and rapine, where slavery existed on a scale so monstrous as almost to defy belief, that something like the American idea prevailed. But even in the Rome of the emperors, the manhood of the slave was not totally annihilated. The old pagan master regarded his *servi* rather as ministers to his comfort or luxury, than as the subjects of traffic or a source of revenue. "In the household of an opulent senator," says Gibbon, "might be found every profession, either liberal or mechanical. Youths of a promising genius were carefully instructed in the arts and sciences." And yet, God in history never taught any truth more clearly or more emphatically, than that Roman slavery was the great enemy by which that grandest fabric of pagan civilization, the Roman nationality and empire, was utterly overthrown and subverted.

As the primeval perfidy, the primal thought of evil, which culminated in the first revolt of arrogant selfishness

and pride, had birth in the highest circles of created intelligences, so it would seem that only among a people founded upon ideas of liberty and the equal dignity and worth of manhood, could a scheme so atrocious as Southern slavery be brought forth. An archangel only, could become the father of lies. Only the *inner light* of a people to whom the divine Manhood had been revealed, could become such utter *darkness*.

A most strange and portentous result of national endeavor, in view of the point from whence the nation set forth upon its career, is this American slavery—this *institution* of human depravation. Nor does the gist of the great evil so much consist in the outrage committed against the civil rights of the slave, as that in his person, not only is an irretrievable offence perpetrated against human nature, against our common humanity, but such a fatal injury to the vital idea of our nationality and civilization, as, if persisted in, we may not even hope to survive. For if the TRUTH set forth in that solemn national Declaration shall not succeed in making all men free, then the *false* shall triumph in making all men slaves. This is the inexorable divine law, of which all human history is but the illustration. The great false pretence, which the nation still so insanely persists in—the great lie, it so shamelessly holds in its right hand—by a fatal law of accretion shall draw to them all other perfidies, until the national heart and consciousness shall become so darkened and depraved that no sense of truth, human or divine, no love or reverence for any human rights, liberty, or manhood shall remain, and the national life and history shall become a very “devils’

chaos instead of a God's cosmos." In the communities where the malign and lying spirit of slavery has taken the most complete possession of the understandings and hearts of men, this transformation seems already to have taken place. So utterly has all sense of the most sacred human rights and obligations been extinguished, all fealty and patriotism eaten out, as to make the most atrocious villainies appear like innocence, and treason against the grandest fabric of human liberty ever erected on earth, like the noblest of civic virtues—nay more, like the most sacred and divinely imposed duties. Says the Rev. Dr. Palmer of New Orleans, a man of learning and thought, and a great authority in these communities, "*The great providential trust to the South is to conserve and perpetuate the institution of domestic slavery. Let us take our stand on the HIGHEST MORAL GROUND, and proclaim to all the world that we hold this trust from God. In defending it, to the South is assigned the high position of defending before all nations, the cause of all religion and all truth.*"

What else is this, but the ravings of the madness and dementation engendered by slavery? What must be the condition of a people, whose seers and prophets have become so profoundly unconscious of their own utter demoralization? By a like process have perished the most powerful and proudest nations of antiquity. And so inevitably must this nation perish, unless it can be awakened to its true peril and moved to expurgate and cast out forever the insidious perfidy, the fatal lie that corrupts and consumes its vitals. For let not these people be deemed worse by nature, than others. It is but the

blind and malignant spirit of slavery that speaks with their tongue, and with their hands brandishes its weapons. Is this a spirit any longer to be paltered with? Ought we any longer to entertain its insidious, treacherous sophistries? If that were possible, could we afford even at the price of the restitution of the external unity of the nation, to lose the light and glory of its internal life—at the price of saving our national body, can we afford to barter away our national soul?

We stand then at this pass. We know from whence and upon what conditions we hold our right to national existence and well-being. We know, beyond a peradventure, the implacable enemy that seeks their destruction. We know even, that by a necessity of its own nature, it cannot do otherwise than destroy them utterly, unless itself be destroyed. What else, in fact, is that open treason to the external unity of the nation, that to-day with so much “pomp of circumstance” sets its battle in array, but the outward expression of the far more dangerous treason that now for many years has been building its intrenchments in the national heart and sapping the very foundations of the national civilization and strength? What else, but the necessary outbreak of that subtle and malign perfidy that for a generation has burrowed in the national understanding, spawning its lies and sowing them broadcast through the land, until now, like the dragon’s teeth, they spring up armed men—traitors. Or, does any man not stone-blind, believe that if to-day the Union were to be restored, and with it the pernicious cause of its disruption placed again under the guarantees of the Constitution, the

nation would not thereby be set back, to begin the great war over again, unless slavery had thus secured to itself the mastery of the National Government? This is its supremest necessity, and the instinct of this necessity, conjoined with a conviction that the mastery of the National Government had escaped from their hands, compelled the slave masters to undertake disunion at all risks. On this point we have done these men a kind of injustice. Slavery can no more exist under a government of practical freedom, than liberty can exist under a government mastered by slavery. It is but the common exigency of every *legally established human wrong*. To secure itself against the attacks of light and truth, against the perpetual encroachments, "coercions" of human progress, it must be master of the power that makes the laws. Under whatever political system or form of government, therefore, slavery shall hereafter be permitted to exist on this continent, whether in a Southern confederacy or a restored Union, it will, it must, from a necessity of its own self-preservation, be master of the Government and national institutions, and through these, of the national life, civilization, and history. There is then no alternative for this nation; either its own original, divinely endowed life must be surrendered up, or it must conquer and destroy its unappeasable enemy, slavery.

That the nation possesses the requisite *material power* to make this conquest, is not generally questioned, at least in the loyal States; to say nothing of the *perennial strength* inherent in the great idea of our nationality, which still abides with them, and day and night cries out for *its* right to conquer in this war. The question about which men

seem to doubt, and our public functionaries hesitate, is, has the nation the right to use the means of conquest which it possesses? It is said the national Constitution forbids it; that, by some extraordinary metamorphosis, this great palladium of liberty has the power only to cover and protect slavery. If this were true, the decisive answer would be that the Constitution was made for man, and not man for the Constitution. But it is a great defamation of that justly to be revered instrument. In its own nature, as a form of *national* government, as the supreme law of the nation, it recognizes the nation's right of self-preservation, and to use all the means necessary to that end. It recognizes the existence of the present most atrocious war, waged by the nation's enemy, slavery, and authorizes the sovereignty which it creates, to clothe itself with the rights and powers, known and acknowledged by all civilized nations as the laws of war; and by which all States and communities, in a state of war, are bound, whether it be a national or a civil war. So that the powers of the National Government, administered in strictest conformity with the Constitution, are just so far enlarged by a state of war, as are all the powers conferred by the laws of war. To disregard these laws, and the powers which they confer in time of war, is just as unconstitutional, in the truest meaning and intent of that instrument, as it would be to exercise them in time of peace. Nor is it by any means a matter of mere option with those upon whom the people have devolved the duty of carrying into effect the rights and powers of *their* Government, whether or not these powers shall be exercised. On the contrary, by their offi-

cial oaths, by all the most sacred obligations that can bind the consciences of men, they are bound to see to it, that, in the present exigency, the nation suffers no loss, loses no advantage, that might arise out of the exercise of these constitutional war powers.

Already has the judgment of the nation and of history been pronounced upon the dastardly excuse, "a want of constitutional power," for the failure to suppress the rebellion in its very inception. No reversal of that judgment is possible, so far as James Buchanan is concerned, whatever may be the issue of the present struggle. In the history of his country, in the memory of all the coming generations of men, his name while it lasts will stand associated with the most worthless of his race—will serve as a by-word to illustrate the most utter destitution of all truth, valor, and manliness in high station, the most pitiful, perfidious, and cowardly official failure that ever disgraced human nature; unless, indeed, he shall have the good fortune to be forgotten in the presence of some still more infamous official delinquency, that awaits future developments in the history of our public functionaries. For, leaving out of the question the maxims of the highest order of statesmanship, the briefest consideration of the laws of war and the powers thereby conferred upon the National Government will serve to demonstrate, that if the servants of the people, who have been intrusted with that sacred duty, fail to destroy the cause of the war and thereby save the life of the nation, a repetition of his excuse—"want of constitutional power"—will not avail to save them from still profounder depths of public execration and infamy.

It is by no means my purpose here to enter into any general exposition of the laws of war, but only to indicate a few general principles, and the nature of the powers conferred by these laws upon every form of government in a state of actual war.

According to the highest authorities on the laws of nations, these rights and powers are derived from one single principle—from the object of a just war, which is to *prevent* or *punish* injury ; that is to say, to *obtain justice by force*. “In order, therefore, that a belligerent power may be entitled to the benefits of these rights and powers, the war that it wages must be *just*, and prosecuted for a just and legitimate end. Thence, the end being lawful, he who has the right to pursue the end, has the right to employ all the means necessary for its attainment, provided only that these means are not in themselves contrary to the laws of nature.”

“That is to say, since the object of a just war is to suppress injustice and compel justice, we have a right to put in practice against our enemy every measure that will tend to weaken or disable him from maintaining his injustice. To this end, we are at liberty to choose any and all such methods as we may deem most efficacious. We have thence a right to deprive our enemy of the possession of every thing which may augment his strength, and enable him to make and carry on the war. And if that of which we have a right to deprive our enemy can help us, we have a right to convert it to our own use, or to destroy it, whenever that is necessary to the main object, which is to disable our enemy and destroy the cause of the war.

“And thence, ultimately, all other methods proving insufficient to conquer his resistance, we have a right to put our enemy to death. And this upon the simple ground, that if we were obliged to submit to his wrong, rather than hurt him, good men would inevitably become the prey of the wicked.”

“Under the name of enemy is comprehended not only the first author of the war, but likewise all those who join, abet, or aid in the support of his cause. So also, as between belligerent powers actually at war, all rights, claims, and liabilities affect the whole body of the community, together with every one of its members.”

At this moment, slavery having organized its powers into a regular form of government, with all the functions of sovereignty, and embodied and sent into the field a military force, if not equal to that of a first-class European power, formidable enough to hold in check the great army of the nation, it is difficult to comprehend what real advantage can possibly arise to the national cause in ignoring the fact, and conducting the great struggle on the theory, which seems to prevail in the Washington Cabinet, that the rebellion is but a temporary insurrection and not a civil war. To the rebels themselves and their concealed allies in the loyal States there inure great benefits from this theory. For while slavery is left free to hurl its deadly missiles at the nation's heart, the heart of the treason itself is covered and protected by the ægis of the Constitution. On the other hand if, in spite of all constitutional or legal quibbles, this is a *real* war—a civil war, then the rights and powers arising under the laws of war clearly belong to the

National Government, are indeed as truly within the purport of the Constitution, as if conferred by express provision, and in the words of our wisest statesman, JOHN QUINCY ADAMS, “*abundantly sufficient to hurl the institution into the gulf.*”

While slavery remained upon its own ground, obedient to the Constitution, a due regard for the requirements of that instrument might justly be held to bind the National Government from dealing with it, as in its own nature it deserved. But the moment it threw off its obligations to the Constitution, and set at defiance the authority of the nation, the question of its existence became wholly discharged of all constitutional prohibitions and restraints; and from thenceforth the National Government was imperatively bound to take possession of it as a national affair; to deal with it, as with any other question vitally affecting the national well-being, on its own merits, and dispose of it with an enlightened, fearless, and far-reaching statesmanship.

But what a bottomless slough of absurdities, are even honest men compelled to swelter in, when once they have put their hand in that of slavery, and allowed themselves to be led by it! It is said the rebels have indeed committed a great outrage upon the Constitution, but that that is no reason why the loyal people of the Union, and their Government, should do the same thing *by abolishing slavery, the Constitution containing no express provision giving them that power.* As if the Constitution *did* contain an express provision authorizing the blockade of Southern ports, or filling them up with stone-filled hulks—the burn-

ing of the rebel's dwellings, imprisoning and slaying his white children, and sweeping his whole land with the besom of destruction. Only one act, it seems, imposed by the terrible necessities of war, is unconstitutional, and that is, a destruction of its cause, Slavery! No wonder that the great heart of the world swells with a suppressed shout of derision at such acumen and statesmanship. WAR and its laws alone, justify and make *constitutional* any of these acts. And much more do they justify and command the utter extinction of its acknowledged cause.

War has been justly termed the "scourge of God." And regarding it from the grounds of the broadest Christian statesmanship, it may, indeed, be pronounced an evil in itself, in its own nature, so enormous, as never to be justifiable except on the ground that the continued existence of its cause is a still greater evil. I believe the universal conscience of Christendom, if appealed to, would confirm this position. To destroy the existence of the cause, is then the only legitimate aim and end in the prosecution of any war. It follows, that a war carried on for any other purpose, or with any other intent than that of destroying or removing its cause, is not only unjustifiable, but a great mistake, or a great crime. Only on the ground that slavery, the admitted cause of the present war, is such an evil, and that the war is aimed at its extinction, can it be justified before God and mankind.

The existence of an apparent doubt on this point in the minds of the men, upon whom rests the momentous responsibility of conducting the war to its highest, grandest issues; and their paltering hesitancy to carry it on, upon its

own basis, as war, and for the achievement of a great and just end, is the source of disheartening anxieties and doubts, that wound and stagger the popular confidence of the loyal States. Nor is this by any means its only mischief. It gives occasion for an undeserved defamation of Republican Institutions, and contempt of our national character and aims abroad, that threaten us with the loss of the respect of other nations, if not with their active hatred and hostility.

Nor, on another ground than any hitherto set forth, can this paramount question be any longer left to be trifled with, by epauletted officials, high or low, without peril to the supremacy of the civil power of the nation, and shame to the representatives of the people. The powers conferred by the laws of war, belong, primarily, to the supreme authority of the State, and by no means, without its authorization, to any one of its administrative or executive functionaries. The Constitution, itself, takes on these powers, and Congress is its proper organ for their distribution—for giving them practical authority. Besides the fact, that the legislative power is alone adequate to the determination of the great question, is alone adequate to foresee and provide for the future of the slave as well as of the nation, in the presence of the great military force called forth by the exigencies of the hour, to watch with a most jealous eye every attempt of its chiefs to overstep their function, as the arm and servant of the civil power, is a matter of the most urgent necessity, and a sacred duty of the people's representatives. Most calamitous and deplorable indeed would it be, if the war to restore the external

unity of the nation should end, not only in reinstating its cause, as a supreme power in the State, but in giving the people a military autocracy for their free republican institutions. In a war carried on for the maintenance of authority only—for *empire*, merely, this is an evil consequence, greatly to be feared. On the other hand, let your battle be for a great IDEA—let your army be inspired by a great sentiment of human justice and liberty, and the danger is cut off at its very source.

But why should the people of the United States, or their Government, seek to shuffle off the “inevitable logic of events,” or squander the providences of God? The conspirators against the life of the nation, plant themselves openly, squarely, on the ground of Slavery. The war they wage is trammelled by no mental or moral reservations, no ambiguity of purpose. To make slavery triumph on this continent, and to found upon it a social order and a State, is their loudly vaunted aim, in its prosecution. The malignant spirit has taken complete possession of their souls; they believe in it, are terribly in earnest about it, ready to die for it! On the other side, on the part of the nation and its Government, what great purpose is set forth to justify, inspire, and sustain them, in the prosecution of so gigantic a struggle? Is it to restore the rebellious States to the Union, and slavery to the safeguards of the Constitution! To reëstablish the fatal, malignant evil, not only in all its original power, but from the very nature of things, to give it renewed strength and vigor!! For they fall into a most pernicious error who imagine, that in some accidental or fortuitous way, slavery is to receive its death wound in this

war, even although it may end in its reestablishment. Let no such monstrous delusion be entertained. The ethical Providence of the world never returns upon its own footsteps. God wastes not a single one of his dispensations, repeats not one of man's neglected opportunities. Slavery must die, and die now, by the enlightened will of the nation, or the nation itself must die—must have its own heart eaten out by its poisonous, deadly virus.

But without reference to this inevitable and final consummation, what a solecism in human affairs does this war present, when viewed from its own ground, as war, in the light of its own logic! In the history of the world, was it ever before proposed to “conquer a peace” by carefully maintaining the cause of the war? Was it ever before proposed “*to weaken and disable*” a powerful enemy, by becoming the keeper, and enforcing the labor of four millions of his subjects, for his sole benefit and support? To “*overcome his resistance*” by compelling a supply of the very means, without which he would become utterly helpless? Suppose, for an instant, that these four millions of unwilling *workers*, from whose labor the enemy draws his daily sustenance, were in a night to have the color of their skin changed to the Caucasian hue, and these white men were to send a message to the Commander-in-chief of our armies, that they were loyal men, lovers of liberty and the Union, and only awaited his permission to rise in their might and with one fell swoop destroy the cause of the war, and the malignant power of the enemy. And suppose that this Commander-in-chief should refuse the proffered assistance, and insist that his *constitutional* duty was, to employ his

great army in standing guard over these willing allies of the nation, and in compelling them to serve, and support its implacable enemy. What judgment would a skilful strategist, an able general pass on such a plan for carrying on a great war? What would be the sentence of the nation and of mankind on such patriotism and statesmanship? And yet, is not this a sober statement of the facts, as they present themselves at this moment, with this difference only—that the men, who, the other day, with cries of joy, ran to embrace our army on the shores of Port Royal while its enemy fled, had not all cuticles of the supposed color?

By what unparalleled infatuation is it, that even yet, after all the overwhelming proofs of the execrable character of slavery, the understandings and hearts of our public men are enthralled and awed in its presence—bound abjectly, as by a spell of Circé, to cringe and bow to its diabolical intimations. Under the pressure of the great exigency created by it, our rulers have not hesitated to set aside the most sacred rights guaranteed by the Constitution. In the name of national safety they have not hesitated to suspend the great writ of freedom, the *habeas corpus*, for two hundred years held sacred by all men speaking the English tongue, and to put manacles on the hands of American citizens. But to refuse any longer to stand guard over the rebel's slave, or in the name of liberty, the rights of human nature and of national existence, to permit his shackles to be knocked off, is a thing only to be thought of with fear and trembling—to be excused by all sorts of phrases, and to be waited for, until it gets *itself*

transacted in some way, not to excite the latent treason of the half-suppressed rebels of the Border States, who, in the name of the old master, slavery, and with the old insolence, are still permitted to dictate the policy of the National Government, and give the word of command to the national armies. While the earnest convictions of the loyal people of the Free States, who furnish these armies, are flouted as fanatical and not to be regarded, on the ground, apparently, that their patriotism and love of country are unconditional.

Is it not time, O men of America, rightful heirs of the great inheritance, that we should rouse ourselves to a sense of the true nature of the enemy we have to overcome, and of the deadly perils that environ us? Look, I beseech you, at the battle-field, upon which we are called to pour out the blood of our sons—for who of us has not there a dear son?—what a spectacle does it present! On the one hand stands the great army of slavery, openly, boldly, proudly, in the name of **SLAVERY**, warring for its triumph. On the other hand stands the army of freedom, covertly, abjectly, in the name of *Union*, waging “a vague and aimless fight,” but still for **SLAVERY**!!

“One guards through love its ghastly throne,
And one through fear to reverence grown.”

How, think you, must such a battle end? Shall not slavery, that “dares and dares and dares,” not rather triumph, than liberty that cowers and hides herself? Or, rather, shall not liberty disown the cowardly, craven souls, that dare not fight openly in her name, and yield them up

to become, in very fact, the "mudsills" of that hideous throne they so reverence?

We may not flatter ourselves: on this plan of the battle we need not hope to conquer. The inestimable sacrifices we offer will be but vain oblations. To the Eternal Justice there is no sweet savor in them. O friends, we must not allow our children to be so driven "like dumb cattle" to the shambles. Let us demand an open fight on the ground of the great declaration: "ALL MEN ARE CREATED EQUAL—ENDOWED BY THEIR CREATOR WITH THE INALIENABLE RIGHTS OF LIFE, LIBERTY, AND THE PURSUIT OF HAPPINESS." Only in the strength of the great idea which it contains, have we the right even to ask to conquer. Only in its name dare we send forth our brave sons to die. Only with the consolation that they fell in the cause of liberty and the rights of humanity, shall we be able to assuage the griefs that must wring and break our hearts at their loss.

And you, ELECT of the people, who but now so eagerly persuaded them that *you* were the qualified of God, and fit to keep watch and ward at the doors of that CAPITOL, the chosen temple of liberty and the rights of humanity on this continent—is it not time that you should lift yourselves to the level of the great issue? In the ethical evolutions of our national history, a second great ERA presents itself—another "time to try men's souls" stands face to face with the present hour. The question is not now, as a high official personage seems to think, a merely technical, attorney one, of construing the letter of the Constitution, but of refounding the nation, and rehabilitating

the national institutions and Government. Slavery by its own act has outlawed itself. The determination of its future status settles the whole matter in issue. To restore it now to the Union—to receive it again under the guarantees of the Constitution, would be nothing less than to refound the nation upon it—to make it the basis of our national institutions and the corner-stone of our future civilization and history. This calamitous consequence is of the very nature of things, and can by no means be evaded when once the ignominious restitution shall have been accomplished.

Besides, who, except those “that have eyes and see not,” can fail to understand the providential intimation. These colored men of the South are the men whose blood should pay the price of their own redemption. If, in the present supreme hour, “there can be no salvation without the shedding of blood,” they also should have the privilege of making the great sacrifice. It is the needed discipline and necessary preparation for the possession of freedom, that they who seek it, should be willing to die for it. It is for you to give them the opportunity—to organize and guide them into the ways of civilized warfare, instead of leaving them to grow into an irrepressible mass of barbarism, by and by to burst into a wild and all-devouring conflagration. For the sake of our common humanity, it is your most sacred duty to take possession of their destiny, bound up as it is with that of the nation, and, by your wisdom and foresight, guide them on *their* road to freedom, and *ours* to national regeneration and glory.

Hitherto, we have been able to answer to the re-

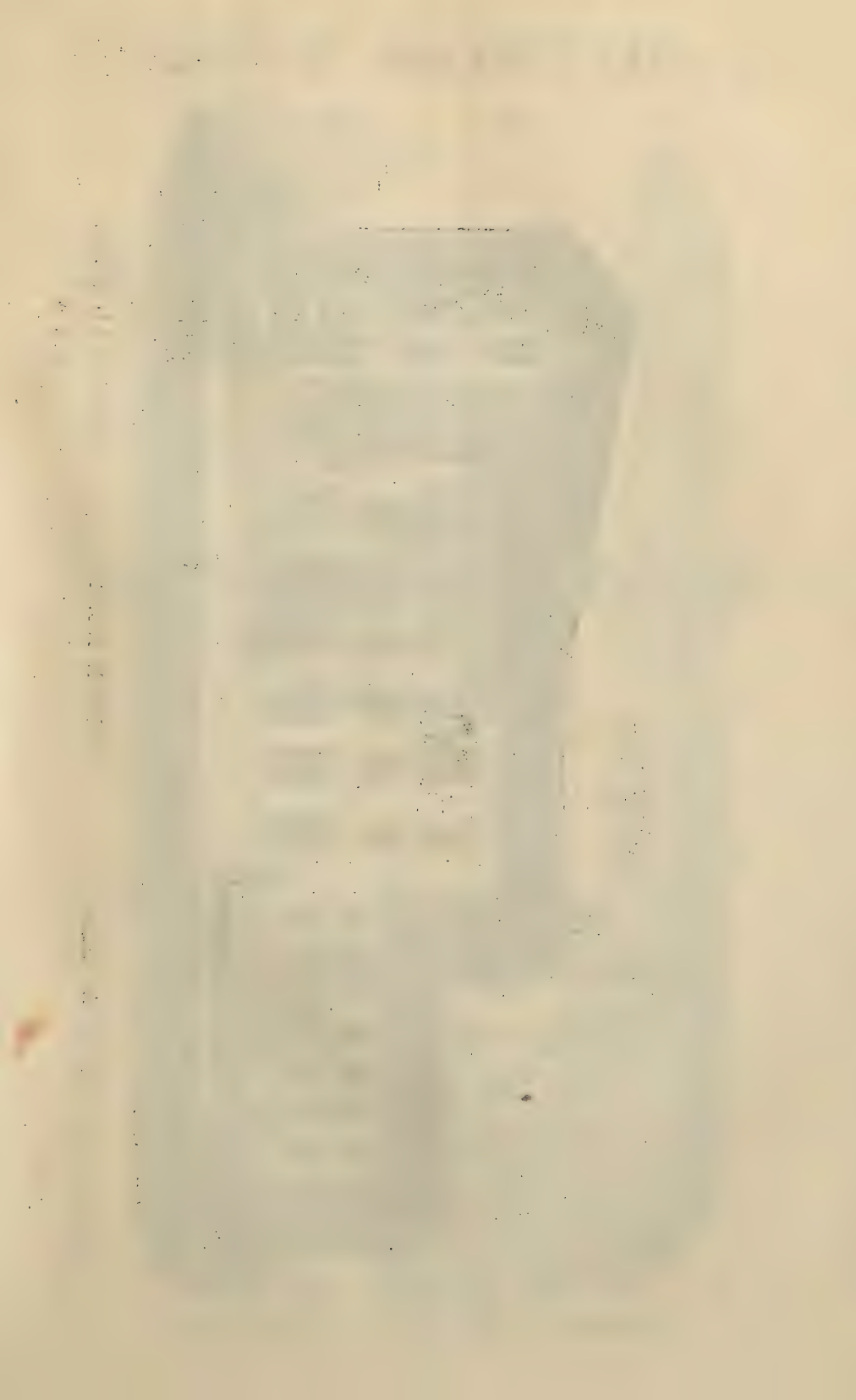
proaches of our fellow-men, on account of slavery, that its existence ante-dated the existence of the nation, and that it was but an extraneous incident in its history, for which the founders were not responsible. But if now it shall be voluntarily taken back into the bosom of the nation, we shall deserve, as we shall most surely receive, the open scorn of all mankind.

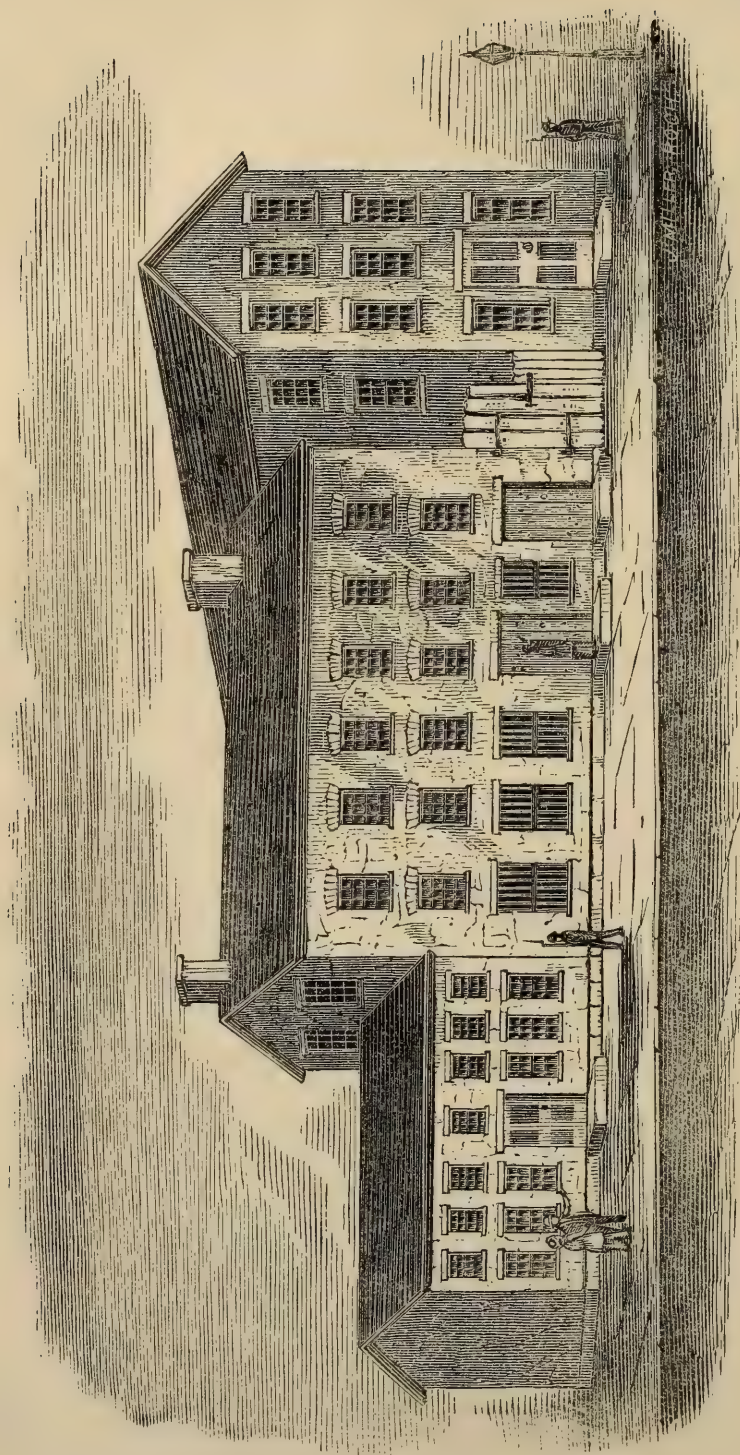
But why should we not, in this imminent crisis of our national existence, lay to heart the great lesson of the ages—that the eternal Providence, that shapes all human will and effort into history, even from a necessity of its own nature, cannot do otherwise than pursue, with an unappeasable divine hostility, all false pretences and lies—cannot do otherwise than blast, with a celestial, eternal hatred, the grandest human structures attempted on such foundations—sending false nations as easily as false men to judgment and eternal doom.

Many centuries ago, in another far-off land, a favored people stood, like us, in the very pitch of a great national crisis. The all-beneficent Providence had presented to them, likewise, the opportunity of refounding their nationality upon a basis of eternal truth—that “truth whereby all men are made free.” The *final* question was put to them with the same terrible emphasis that to-day it is put to us: “Whom will YE have, *Barabbas* or JESUS called the Christ.” “Not He,” they cried, “but Barabbas. Away with him to the cross; Barabbas is our man—give us Barabbas.” And they got Barabbas, and with him such guidance as a thief and a liar had to give. We know the result. A nation for whom the *Deka Logoi* had been writ-

ten by God's own finger—who had stood at the nether part of the mount and seen with their own eyes “that God answered with a voice;”—a people who had Abraham to their father, and a long line of divinely-inspired men for teachers and guides; after eighteen hundred years of perpetual dispersion and dilapidation, from the hour of that fatal choice, are now, it is said, “prophetically crying ‘old clo’, old clo’,’ in all the cities of the world.”

And to-day, even in this very hour, in all the thoroughfares of the people, upon the very threshold of that capitol where you, their ELECT, deliberate to become more renowned than any Roman Senate, or to sink into ignominious contempt and forgetfulness, stands the old Inexorable Questioner, and demands a right true answer to the *final, fateful* question, “Whom will *ye* serve, *slavery* or **FREE-DOM**?”





HOSPITAL NO. 2.

PRISON NO. 1.

REBEL GUARD QUARTERS.

FIVE MONTHS
IN
REBELDOM;
OR
NOTES FROM THE
DIARY OF A BULL RUN PRISONER,
AT RICHMOND.

BY CORPORAL W. H. MERRELL,
Color Guard, Co. E., 27th Regiment, N. Y. S. V.

ROCHESTER, N. Y.:
PUBLISHED BY ADAMS & DABNEY,
1862.

Entered according to Act of Congress, in the year 1862,

By WILLIAM W. BLOSS,

In the Clerk's Office of the District Court for the Northern District of New York.

INTRODUCTORY.

THE greater portion of the following narrative originally appeared in the columns of the ROCHESTER EVENING EXPRESS, in a series of twelve numbers. It was written at the request of the editors of that journal, of which Corporal Merrell had been a regular correspondent from the date of his enlistment till his release from Prison No. 1, in Richmond—comprising a period of nine months.

This narrative being the only full, consecutive and authentic account of prison life in Richmond, was widely copied by the Northern press, and eagerly sought by the public. During the progress of its original publication numerous requests were made for its reproduction in an enlarged and completed form, and Corporal M. being required to rejoin his regiment, was compelled to confide the work to the care and direction of a friend, by whom it is now presented in a form convenient for preservation and reference.

The incidents embodied in the narrative have at least the merit of novelty, few, if any of them, having been previously published; and it may be observed that most of them have been fully substantiated by the voluntary testimony of several of the fellow prisoners of Corporal Merrell, recently released. Indeed, the truth of one incident, of a peculiarly “romantic” character—and so much so as to have excited the incredulity of some readers—has been publicly endorsed in a letter over the signature of a brother of the prisoner to whom it personally relates.

The engraving of the Richmond “Prison No. 1,” “Hospital No. 2,” and the “Confederate Guard Quarters,” which appears on a preceding page, is from a drawing by Corporal Merrell, and faithfully represents the Tobacco Warehouse in which the Union Officers, Civilians and many of the Privates were confined—(*vide* chap. v, p. 25.)

It is gratifying to know that the Government has finally inaugurated

a system of "exchange" with the rebels. It, however, came too late to save or benefit many a patriotic, but unfortunate prisoner, who fell a victim to the neglect and cruelty of his rebel keepers. The fortitude exhibited by the captives under these unprecedented trials and privations, demonstrated a stern and unflinching loyalty, which is alike creditable to themselves and to the cause and the people for whom they have suffered. Their faith in the Union is still unshaken; their devotion to the "Stars and Stripes" is as pure and stedfast as ever, and no better evidence of this could be given than the fact that, generally, they have not only declined to accept a discharge from the service, but manifest a joyful alacrity in rejoining their comrades in arms, to enrol themselves under the now *advancing* and *conquering* banners of the Republic.

ROCHESTER, Feb. 1862.

W. W. B.

FIVE MONTHS IN REBELDOM;

OR

NOTES FROM THE DIARY OF A BULL RUN PRISONER.

CHAPTER I.

In compliance with the request of friends in Rochester, and in pursuance of a resolution previously formed, I propose to publish a few reminiscences of my involuntary sojourn in the "Old Dominion."

The events which I am to narrate are of so recent occurrence, that a retentive memory would suffice to recall them with all due exactness and circumstantiality; but were it otherwise, I have only to turn to a little pocket diary, which has been a faithful and indelible reflector of all important occurrences, as they transpired, during a five months' imprisonment in the Rebel Capital.

In presenting this narrative, I claim for it nothing but TRUTHFULNESS—"a plain, unvarnished tale," wherein I shall

"Nothing extenuate, nor set down aught in malice;"

and may safely appeal to my late prison associates for the confirmation of any statement that is likely to be called in question.

With a view to form a connected narrative, I shall relate events in the order in which they transpired, commencing with my personal observations at the battle of Bull Run; yet, as it is no part of my design to describe that memorable engagement, I shall wholly confine myself to facts and incidents relating to my own regiment, the 27th N. Y. S. V. This regiment was organized at the Elmira Rendezvous in the month of May, and was ordered to Washington on the 10th of July. It consisted of three companies from Binghamton, one from Rochester, one from Albion, one from Lyons, one from Lima, one from Angelica, one from White Plains, and one from Mt. Morris. The field officers were Col. H. W. Slocum of Syracuse, Lt. Col. J. J. Chambers of White Plains, and Maj. J. J. Bartlett of Binghamton. The regiment had the reputation of being one of the best officered in the service, and notwithstanding that it was newly recruited and but partially inured to the hardships of camp life, it was believed to be as effectually disciplined as any volunteer corps in the army of the Potomac.

The 27th did not participate in the action of Thursday the 18th of July, but in that of the Sunday following their mettle was fully tested, and I believe that no impartial eye-witness of the battle of Bull Run will maintain that any regiment, whether regular or volunteer, exhibited a greater degree of gallantry on the field, manœuvered with better regularity or precision, were more exposed to the enemy's fire, or *suffered more severely* from its effects, than the one which had been facetiously christened the "Mutual Admiration Society" of Elmira. Notwithstanding the unaccustomed fatigues of an early and protracted march on Sunday morning, the feeling of the troops was animated, and they literally went on their way rejoicing. The enemy seemed hastily to abandon every position as we advanced, and the fact that the progress of the Union army from Washington had been marked only by a succession of light skirmishes, the less reflecting felt assured that we should not encounter a sufficient resistance on the way to Manassas, or even to Richmond, to furnish an appetite for rations. Yet how sadly different was the result.

Glancing back upon the interminable line of the Grand Army, as its several columns crept gradually toward Centerville—the sunlight flashing upon the serried bayonets, the regimental banners fluttering in the morning breeze, and the huge masses moving steadily, noiselessly and with the beautiful regularity of a street parade—the view was grand and imposing in the extreme, and though momentary, seemed worth the sight-seeing experiences of an entire life. But the eventful scenes were to come, and the predictions of those who assumed that the enemy were disposed to let us "onward to Richmond" without contesting our ability to force a passage, were speedily silenced by the sound of heavy artillery from the batteries to which we had been lured. There was no longer doubting the fact that we were approaching the field of battle. The roar of cannon was succeeded by the roll of musketry, which at every step became more and more audible, and it was easy to perceive that though not with us, yet elsewhere the work of carnage and of death had already commenced in earnest.

As I before intimated, I shall attempt no general description of the engagement, but rather confine myself in this connection to a narrative of events, as they transpired, in my immediate vicinity, and within the scope of my own observation.

It was my good fortune to be selected as one of the color-guard of the 27th. Soon after entering the field, we saw at a distance what appeared to be our National Flag, but which was in reality that of the enemy. While we were still in doubt, but advancing, Adjutant Jenkins rode forward, with the remark that he would soon determine whether they were friends or foes. He

placed his havelock on the point of his sword, which he held aloft as a flag of truce, but as he approached them he was greeted with a volley of musketry. Unharmed, however, he rode quickly back to his regiment, exclaiming, with considerable emphasis, "Give 'em ——, boys." The 27th responded by opening their *hottest* (!) fire, and the enemy scattered. We subsequently learned that they were the 27th Virginia volunteers.

We continued to advance till confronted by the 8th Georgia, who stood their ground manfully for a time, loading and firing with great rapidity. They could not, however, withstand the regular and accurate discharges of the 27th, and we finally drove them back to a considerable distance, where they were reinforced. We were then in turn repulsed, and took refuge under a hill, where we remained until another advance was ordered.

[It was while resting here that one of my comrades, William Hanlon, of Rochester, company E, was most severely wounded. He was struck in the right leg by a cannon ball, and was thought to be killed outright. He survived, however, a cripple, to become a prisoner at Richmond, and was released and sent home on the 6th of October.]

Soon after this event Col. Slocum, our gallant commander, was ordered to charge a battery stationed on a knoll at our left, and was fearlessly leading on his regiment, in the midst of a tremendous fire, when he fell, severely wounded, and was immediately taken from the field. This occurrence was a severe blow to the regiment, who regarded their brave commander with a feeling of boundless affection. Happily he was spared to receive the appointment of Brigadier General, and the 27th is still under his charge.

The first member of the color-guard who was "struck" was Corporal Fairchild. The regiment had for a moment halted, when the Corporal staggered back, crying, "O, boys, I am struck!" Placing his hand upon his breast, with the expectation, as he afterwards said, of finding it "covered with blood," he accidentally felt the ball (a grapeshot) in his shirt pocket! He immediately pulled it out, exclaiming, "Thank God, I am safe!" It was a *spent ball*. The Corporal survived the battle to become a prisoner at Richmond.

In the meantime the action had become fierce and sanguinary, and every soldier in the ranks realized that his regiment was quite as severely "exposed" as the most ardent-minded and valourous could desire. Our numbers were greatly diminished, and though our discharges were rapid, they had become irregular, and the men loaded and fired promiscuously. An incident may be related in this connection of rather a novel character. Corporal S———n, of Rochester, a young man, who, since his en-

listment, had been somewhat distinguished among his comrades for a religious zeal, fought manfully and with the "full assurance of faith." With every load of his musket he uttered an audible prayer to this effect: "O, Lord, send this bullet to the heart of a rebel, and *spare my life!*" A Manxman, who stood beside him, and who was quite as energetically engaged in the "discharge" of duty, censoriously retorted: "Hoot, mon—shoot more and pray less!" Shooting was evidently the most pressing business in hand, but our Manxman was probably not aware that a Yankee seldom attempts to do one thing at a time, and that it was quite proper to put two irons in the fire when the conflagration was so general and so extensive.

The 27th Regiment continued to march unflinchingly forward, literally amid a storm of "leaden rain and iron hail." Indeed, it seemed as though we were confronting an avalanche of bullets. Many were mowed down. I think that but one of our line officers then deserted his post of duty, and a few days since I met him in the streets of Rochester, wearing the uniform of a private. To my inquiries upon this subject, he admitted that he had been cashiered in consequence of his behavior on that occasion, and that he afterward returned home. "But," said he, "I could not help it; I ran despite of myself, for we were marching into the jaws of death. I am not a coward, and I mean to prove it. Therefore I have enlisted as a private soldier, and if I ever participate in another battle, I mean to stand my ground!"

In less than half an hour after the fall of General Slocum, the ranks of the color-guard were reduced from nine to two. The colors were large and weighty, and Sergeant Freeman having become quite exhausted, and myself too much so to relieve him, Major (now Colonel) Bartlett, who perceived the situation of affairs, came to our assistance. Riding along the line, and waving the colors above his head, he shouted, "Boys, will you fight for this?" The response was general and enthusiastic.

A large number of the enemy were discovered in the front, and the 27th advanced towards them, Sergeant Freeman being again in possession of the colors. At this conjuncture, while my piece was leveled, I received a ball in my breast and fell, remarking to my comrade that I should have to leave him. The Sergeant gave me a glance so full of sympathy at my misfortune that I never can forget it, and with the regiment passed on to meet the enemy. I crept to a rail fence near by, and lay insensible about fifteen or twenty minutes, as I should judge, and upon regaining consciousness, discovered that I was surrounded by numbers of dead and wounded. The immediate vicinity was not then occupied by troops. The first notable object that excited my attention was a Union soldier, who was wounded in the left arm, which lay powerless at his

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side. He was standing beside the fence, his piece resting upon the rail, and which, after taking deliberate aim, he discharged at the enemy. He then dropped his musket, and came and laid down beside me. No more passed between us, but I imagined he had obtained "satisfaction" for his own grievances.

While still lying in my position, I beheld another Union soldier at a short distance, climbing the fence. He held his musket in his right hand, but while astride of the fence, and in the act of getting down, a cannon-shot *struck the rail*, shattering it in pieces, and sending its rider whirling and summersetting in the air, with a velocity that would have astonished the most accomplished acrobat. He gathered himself up with almost an equal degree of alacrity, and started on "double quick" toward our own forces. He had proceeded but a few feet, however, when he came to a halt. Casting his eyes over his shoulder and perceiving that he was unpursued, he scratched his head thoughtfully for a moment, and then ran back and recovered his musket and started again for his regiment. I was in too much pain and bewilderment at the time to fully appreciate the comicality of this performance, but have since enjoyed many a hearty chuckle upon its reflection.

There was a great deal of skirmishing upon the field, and many instances of personal bravery particularly worthy of remark. I noticed, for example, one soldier leave his regiment, and crossing the field and leaping the fence, load and fire several times at a squad of cavalry. He was finally discovered, and three or four of their number rode down upon him. One who was in advance of the rest, came upon "our hero" as he was in the act of loading. He had driven the ball home, but had not withdrawn the ramrod. The horseman raised his sabre, and the next instant, as it appeared to me, the volunteer was to be short by a head; but suddenly inverting his musket, he dropped out the ramrod, and in the twinkling of an eye emptied the saddle and started back to his regiment. After proceeding a few rods, and finding that the enemy had given up the chase, he started back to recover his ramrod, and with it returned in triumph to his regiment, where he was greeted with rousing cheers.

But it is needless to multiply instances of this nature, so many of which have been already published by the press. The movements upon the field had in the meantime changed in such a manner that I found the spot where I lay exposed to the cross-firing, and accordingly crept to the cellar of "the old stone house." The passage was not unattended with danger, the rebels making a target of every living object upon that section of the field, (from which our troops had retreated,) and their balls whizzed briskly about me. The cellar in which I found refuge was already occupied by many other wounded Union soldiers, who had likewise sought its shel-

ter. They were lying in the mud and water upon the ground. Upon entering, I discovered Corporal Fairchild, (above mentioned, of the 27th,) who was moving about among the wounded, exerting himself to relieve their sufferings by stanching their wounds, etc. Their distracted and agonizing cries would have moved the most obdurate heart to pity. "Water, water!" was the prayer upon every tongue, but it was unavailing. To linger upon such a scene is to recall one of the most painful experiences of my life, and one which no words can adequately depict. The floor above was also covered with wounded soldiers, whose cries could be distinctly heard. I was not then aware that my friends and comrades, Clague and Hanlon, of Rochester, were among the occupants of the upper floor.

The cross-firing of the troops continued, and the rattle of musket balls against the walls of the building was almost incessant. A number of them entered the windows, wounding three of the inmates.

A cannon-shot also passed through the building, but inflicted no bodily injury. Pending these occurrences, two rebel soldiers entered the cellar, one of them seeking shelter in the fire-place. They were both unwounded. The occupant of the fire-place, however, had not fairly ensconced himself when a musket ball passed through his leg. The other, who was lying by my side, was also severely wounded—a fitting penalty for their cowardice and desertion.

Finding that the building was likely to be destroyed by the continued firing, one of our number went to the door, and placing a havelock on his bayonet waved it aloft in the air. This *hospital signal* was greeted with a shower of balls from the *Confederates*, and he was compelled to retire. Subsequently a *yellow flag* was displayed from the floor above, but it was likewise disregarded.

The wounded were perishing with thirst. At the distance of about two rods from the building was a pump, and one noble fellow (whose name I regret that I have forgotten) took two canteens and went out to obtain water. While so doing he received *five or six musket balls*, in different portions of his body, from the rebel forces—yet was not fatally injured. Though very low he was still alive, an inmate of prison hospital No. 2, when I left Richmond. He will ever be remembered with gratitude and affection by those who witnessed his noble conduct, and shared in the benefits of his exploit. It is my opinion that between fifty and sixty men fell in the immediate vicinity of the pump and "the old stone house."

From the position in which I lay, glancing outward, I could discover the movements of troops upon the field, and at times with tolerable distinctness. The battle seemed general, but irreg-

ular, and I witnessed no bayonet charges, or murderous hand-to-hand conflicts. The thrilling pictures by "our special artist, taken upon the spot," subsequently to adorn the pages of our enterprising illustrated weeklies, must have been seen "through a glass, darkly," or in the heated imaginations of that ubiquitous class of correspondents who simultaneously indite at Hong Kong, Constantinople and Salt Lake City, and invariably reach the sanctum in time to read the proof of their own missives.

The observations and impressions of another spectator of the same field, are thus truthfully and graphically described:

I'll tell you what I heard that day:
I heard the great guns, far away,
Boom after boom. Their sullen sound
Shook all the shuddering air around.

"What saw I?" Little. Clouds of dust;
Great squares of men, with standards thrust
Against their course; dense columns crowned
With billowing steel. Then, bound on bound,
The long black lines of cannon poured
Behind the horses, streaked and gored
With sweaty speed. Anon shot by,
Like a lone meteor of the sky,
A single horseman; and he shone
His bright face on me, and was gone.
All these, with rolling drums, with cheers,
With songs familiar to my ears,
Passed under the far-hanging cloud,
And vanished, and my heart was proud!

At length a solemn stillness fell
Upon the land. O'er hill and dell
Failed every sound. My heart stood still,
Waiting before some coming ill.
The silence was more sad and dread,
Under that canopy of lead,
Than the wild tumult of the war
That raged a little while before.
All nature, in her work of death,
Paused for one last, despairing breath;
And, cowering to the earth, I drew
From her strong breast, my strength anew.

When I arose, I wondering saw
Another dusty vapor draw,
From the far right, its sluggish way
Towards the main cloud, that frowning lay
Against the westward sloping sun;
And all the war was re-begun,
Ere this fresh marvel of my sense
Caught from my mind significance.
O happy dead, who early fell,
Ye have no wretched tale to tell

Of causeless fear and coward flight,
Of victory snatched beneath your sight,
Of martial strength and honor lost,
Of mere life bought at any cost.
Ye perished in your conscious pride,
Ere this misfortune opened wide
A wound that cannot close or heal
Ye perished steel to levelled steel,
Stern votaries of the god of war,
Filled with his godhead to the core!

While our forces were on the retreat, pursued by the rebels, a body of troops halted at the stone building, entered with bayonets, and demanded a surrender! They were to all appearances as much intimidated as though they had anticipated a successful resistance. None was made, however. No violence was offered to the prisoners, and in this connection, I may state that I saw no "bayoneting" whatever committed by the enemy at Bull Run. Our arms were delivered up, and a few moments afterward I was led and half-carried away to the quarters of Gen. Beauregard, situate at a distance of perhaps half a mile. Before reaching there, we encountered Gen. Beauregard, flanked by Johnson and Davis, riding across the field. Their countenances were illuminated with a mingled feeling of joy and exultation, and they could well afford, as they did, to salute an unfortunate prisoner. The head-quarters consisted of a large white house. It was filled with wounded soldiers, undergoing surgical attention. Fragments of human bodies were strewn upon the verandah and about the building, and large numbers of both Union and rebel wounded lay outside upon the ground.

On arriving at head-quarters, my guard, who was a private soldier, pointed me out to a "Louisiana Tiger," and performed the ceremony of introduction by saying, "Here's one of our Tigers!"—and—"Here's a d—d Yankee!" I expected a savage growl, not to say the roughest of embraces at the hands of the savage forester, and was not a little surprised when he approached me kindly, with the remark, "Are you wounded, sir?" I replied in the affirmative, when he resumed, "I am sorry for you. I hope you will soon recover, and be restored to your friends." My companion, the guard, appeared to be quite as much astonished as myself; though less agreeably so, I have no doubt.

The case above noted may have been exceptional, for I was afterwards subjected to frequent insults from private soldiers, though kindly treated, in general, by the "Confederate" officers.

Night closed in with a pouring rain, and the wounded lay upon the ground unsheltered. I slept soundly, after these unaccustomed hardships, and was awakened by the sound of the morning

reveille. My arm was stiff, my wound extremely painful, and my physical powers quite exhausted. A Lieutenant approached me and inquired as to my condition, and I begged him to find me a shelter. He absented himself for a short time, and then returned to say that there was but one place to be had, and that was a tent which was already filled with Confederate wounded, but that if I was content to lay in the water for the sake of a shelter overhead, he would try to provide for me. I gladly accepted the offer, and soon found myself at the place indicated. As I entered, a wounded Confederate soldier, who had a blanket above and another beneath him, offered me one of them, which I at first politely declined. He however insisted, and I was soon enjoying its protection. Soon after, I observed a young man standing at the opening of the tent and looking within. As he glanced at me I nodded, and stooping down he kindly inquired if he could do anything to relieve me. After some conversation, I gave him the address of my wife, begging him to write and inform her of my misfortune, etc. He was, it appeared, a Methodist student, and though a private soldier in the ranks of the rebels, was then acting in the capacity of Chaplain, and administering consolation to the wounded. I should occupy too much space in reporting our discussions at length. Before leaving, he kneeled in the water at my side and offered one of the most eloquent and moving supplications to which I have ever listened. He soon after fulfilled his promise to notify my family of my condition, and subsequently, during my imprisonment, called upon me and placed in my hand five dollars and a copy of the Bible. I shall ever treasure it as a memento of our brief acquaintance, and of my heartfelt gratitude toward William E. Boggs, of Wainsboro, South Carolina.

CHAPTER II.

While I was lying in the tent of the wounded "Confederates," a private soldier who had just received his ration, (consisting of half a pint of coffee, a hard biscuit and a small piece of bacon,) brought it to me, saying, "You need this more than I do." I at first hesitated to accept it, but he urged it upon me, remarking, "We were enemies yesterday, in the field, but we are friends to-day, in misfortune."

I would again state that these are exceptional instances of the feeling generally manifested by the rebels toward their prisoners, and the fact rather enhances my feeling of gratitude for the kind-hearted treatment, of which, at times, I was so singularly the recipient,

While the above scene was transpiring, a number of officers were standing near, conversing, and one of them asked me how it was that men who fought so bravely could retreat, when the day was fairly *their own*? The speaker said it was at first believed to be a "Yankee trick," or the Confederates would have followed up their advantage! He solicited my opinion on this subject, and I assured him (of what I fully believed,) that our forces would unquestionably return, and quite as unexpectedly as they had retired.

I was soon informed that all of the prisoners whose condition was such as to withstand the fatigues of the journey, would be immediately removed to Manassas; and soon after I was placed in a lumber wagon, beside one other prisoner and three wounded rebels, and we reached our destination after about an hour's drive through a forest road. It struck me as rather significant that the direct road was avoided, and hence no prisoner transported in this manner was afforded an inspection of the enemy's defenses.

The rain continued to pour in torrents, and without intermission. As we arrived opposite the depot at Manassas, I was afforded a glimpse of the place. The most prominent was the hospital, a large frame structure, opposite to which was the only battery to be seen in the vicinity. The only mounted piece was a shell-mortar. There were perhaps a dozen small frame buildings, which comprised the "Junction" proper. All of these seemed to have been appropriated to the accommodation of the Confederate wounded. Numerous tents had been pitched for a similar purpose, and temporary sheds were also in process of erection.

The Confederates were assisted from the wagon; my fellow-prisoner also descended and went off to obtain shelter, and even the guard and driver, thoroughly drowned out by the deluge, deserted their posts of duty, and left me to

"Bide the pelting of the pitiless storm"

in solitude. I finally managed to get out upon the ground, and crept along, "swimmingly," to the hospital. There I was refused admission, on account of its over-crowded state, but finally prevailed upon the steward to let me within the hall, where with a number of others, I remained for about one hour. As formerly, when I had reached almost the *lowest* depth of despondency, I was so fortunate as to secure a friend in a wounded rebel soldier. In the course of our conversation, he informed me that all of the prisoners were to be conveyed to Richmond. He was going as far as Culpepper, where his parents resided, and he assured me that if I desired to go with him, I should receive

the best of medical care and attention. I accepted the kind offer conditionally, as I did not wish to be separated from my wounded comrades. He then—upon receiving my parole of honor—assumed the responsibility of my custody, and we were soon among the passengers of a crowded train, and speeding “on to Richmond.”

The journey occupied two days, the train being required to halt at every station from one to three hours. All along the route great crowds of people were assembled, consisting mostly of women and children, and at almost every place large numbers of Confederate wounded were removed from the cars, followed by weeping and distracted relatives. Some of these scenes were very affecting.

Davis, Lee, and other Confederate magnates, accompanied us as far as Orange Court House, and at intervening points the first named was called out upon the platform to speak to the multitudes. At some villages the women thronged about the cars, offering refreshments to the wounded, both Union and Confederate, but more particularly to the former, whom they seemed to regard with mingled curiosity and favor. I suspected that the sympathies of some were even more deeply enlisted than they dared to avow. We were invariably addressed as “Yankees,” and there were frequent inquiries respecting “Old Scott, the traitor,” and “Old Lincoln, the tyrant.” The ladies generally expressed a benevolent desire to “get hold” of the hero of Lundy’s Lane, in order to string him up.

Arriving at Culpepper, the daughter of Major Lee, a young and beautiful damsel, came up to the window from which I leaned, and asked if she could do anything for me; and added, “What did you come down here for?” [This had become a stereotyped query.] I replied, “To protect the Stars and Stripes and preserve the Union.”

My questioner then proceeded, after the uniform custom, to berate Gen. Scott. “That miserable Old Scott—a Virginian by birth—a traitor to his own State—we all hate him!” And the heightened color, the vindictive glance and the emphatic tones of the excited maiden, furnished assurance that her anger was unfeigned. But it quickly subsided, and after some further conversation, she took from her bonnet a miniature silken secession flag, which she handed to me, remarking that she thought I could fight as well for the “Stars and Bars,” as for the Stars and Stripes. I playfully reminded her that she had just denounced Gen. Scott as a traitor to his own State, and if I should fight for the “Stars and Bars,” I should be a traitor to the State of New York! This trivial argument was evidently a poser. “Oh!” responded she, “I had not thought of that!”—But she insisted upon my accep-

tance of the emblem of disloyalty, and I still retain it as a memento of the occurrence, and with a feeling of kindly regard for the donor. She cut the buttons from my coat sleeve, and I consented to the "formal exchange," though not exactly recognizing her as a "belligerent power."

As Miss Lee retired, another young lady came forward, and glancing at my companion, the Confederate guard, addressed him as a "Yankee prisoner," expressing her indignant surprise that he should have invaded their soil to fight them. He corrected her mistake, stating that I, not he, was the "Yankee prisoner."

"No—no—you can't fool me; I know the Yankees too well," insisted the lady. I corroborated the assertion of my custodian, but it was some time before her prejudices could be overcome.

At almost every station on the route, one or more dead bodies were removed from the train, and placed in charge of their friends. The University at or near Culpepper, and the Church at Warrenton, had been fitted up for hospital purposes, and large numbers of the Confederate wounded were conveyed to them from the train. Of the six or seven cars which started from Manassas, there were but two remaining when we reached the rebel capital. We arrived there about 9 o'clock in the evening. After the cars had halted, I heard a low voice at my window, which was partly raised. It was quite dark, and I could not distinguish the speaker, who was evidently an Irish woman.

"Whist, whist!" said she; "are ye hungry?"

I replied that I was not, but that some of the boys probably were.

"Wait till I go to the house," she answered, and a moment afterward I heard her again at the window. She handed me a loaf of bread, some meat, and about a dozen baker's cakes, saying—as she handed me the first—"That was all I had in the house, but I had a shillin', and I bought the cakes wid it; and if I had more, sure you should have it and welcome! Take it, and God bless ye!"

I thanked her, and said, "You are very kind to enemies."

"Whist," said she, "and *ain't* I from New York meself?" and with this tremulous utterance she retired as mysteriously as she had come.

This was the first "Union demonstration" that I witnessed in Old Virginia. I thanked God for the consolation which the reflection afforded me, as for the third night I lay sleeplessly in the cars, my clothing still saturated and my body thoroughly chilled from the effects of the deluge at Manassas. I could have desired no sweeter morsel than the good woman's homely loaf; and proud of the loyal giver, I rejoiced that "I was from New York meself."

The following morning the prisoners were all removed to the hospital and provided with comfortable quarters and medical attendance.

CHAPTER III.

The Military Hospital is a large brick structure, in the form of the letter E, without the middle bracket. It is pleasantly located on a slight elevation in the northern suburbs of the city, and near the fortifications commanding the entrance from Manassas. It was originally designed for a poor-house, and had not reached a completed state when it was required for hospital purposes. The car load of wounded with whom I arrived, constituted the first instalment of hospital inmates, and, as before stated, we were immediately provided with comfortable quarters, and for the first time since the battle had our wounds dressed. Upon every succeeding day we received numerous accessions to our number, until the hospital was filled to its utmost capacity. Indeed, the floors were covered with cots, and every available space was occupied by the form of a wounded Union soldier. The head-Surgeon of the establishment was Dr. Peachy, of Richmond. He had a numerous corps of assistants, consisting principally of medical students, who had gladly availed themselves of the opportunity to engage at once in an extensive, if *not* a successful practice. Dr. Peachy himself is an amiable, kind-hearted gentleman, whose sympathies seemed deeply enlisted in behalf of his unfortunate patients, and was untiring in his professional attentions, which were impartially distributed between officers and privates.

The Sisters of Charity of Richmond had volunteered their services in behalf of the wounded, and many a poor fellow would gladly testify to their kind and unremitting attentions—and how that

The charities that soothe, that heal, that bless,
Were scattered round his lowly couch like flowers.

Hardly were the prisoners comfortably bestowed in hospital quarters, before the place literally swarmed with visitors. The greater portion of them were ladies, who brought us dainties of every description, and in some instances articles of underclothing, which were greatly needed. It is undoubtedly the fact that the benevolence of many of these ladies was prompted by feelings of loyalty to the Federal Government, which in no other way could find a practical expression.

Among them was at least one, a lady of *the highest* social and political connections in Richmond, whose name (which I would

gladly publish) I am induced from prudential motives to withhold. On the day of our arrival she visited the hospital, attended by a female companion and a negro servant, bearing baskets generously laden with luxuries of every kind. Her pockets, also, were crammed with *plug tobacco* and cakes of castile soap, which she clandestinely distributed among the patients. To her kindness and ingenuity I was indebted for the secret conveyance of the first letter which I was enabled to write, and also the first, as I was afterwards informed, which left Richmond from the prisoners taken at Bull Run. The anxiety of this kind lady to more fully relieve the distresses of the wounded prisoners, at length overcame her discretion, and her work of benevolence was estopped by a formal investigation. It was argued by the hospital authorities that the Confederate wounded were more properly the subjects for the exercise of Southern benevolence, and that the extravagant charities bestowed upon the "Yankees" were evidences of a "Union" sentiment that could not be tolerated without detriment to the "Confederacy."

The lady in question, as well as others, likewise generous, were at length grossly assailed by the Richmond press, and afterwards prohibited from administering to our comfort, and finally were even refused admission to the hospital. In this connection I may state that several of our lady visitors informed me that they belonged in the North, but were compelled to remain in Richmond. It will be remembered that in Norfolk an order was issued asking all "alien enemies," who desired to return North, to report themselves at a given time to the Confederate authorities, and they would be then sent under a flag of truce to Fortress Monroe. As a result, a large number, who had succeeded in evading suspicion, presented themselves at the place indicated, where their names were registered. But instead of being sent to Fortress Monroe, they were arrested and sent to Richmond! Here, of course, they were subjected to a system of *espionage* established by King Jeff. to promote the safety of his Confederate despotism. One lady, whose acquaintance I had made in the hospital, informed me that the Stars and Stripes were concealed in her house, and that she only waited a favorable opportunity to fling them to the breeze!

I shall not dwell at length upon the painful and exciting scenes which transpired under my notice at the hospital. On the fourth day after I entered that place, I was surprised at recognizing my old comrade of the 27th, John F. Clague, who was brought in with a large number of wounded. This "batch" (to use the hospital term applied to new comers) comprised some of the most critical cases brought from Manassas. Many of them had been

picked up from the field two days after the battle, and their recovery was regarded as hopeless.

The amputating room was in the center of the building, within easy call of any part of the hospital, and the frightful cries of the unfortunate subjects, while undergoing surgical operation, added a ten-fold torture to the pangs of those who were in waiting. Upon the average, as the physicians estimated, but *one in ten* survived their amputations. Consequently, when one of our number was removed to the "amputating table," we felt that we looked upon him for the last time. These operations frequently lasted one or two hours, the patient being under the influence of chloroform and whisky. Frequently the subject survived several days, but always in great suffering.

Although many expressed a mortal dread of the terrible ordeal, there were others who submitted to it with a fortitude which seemed unexampled. In one instance a young man by the name of Farmer, from Minnesota, was twice compelled to submit to the amputation of his left leg. The first operation was performed at Manassas, but during his journey to Richmond the jolting of the cars inflamed the wound, and disarranged the bandages. Mortification ensued, and he was informed he must undergo a second operation. He received the announcement with a *cheerful smile*, and said that he was ready. Here, indeed, was the teaching of

"How sublime a thing it is to suffer and be strong."

The fearful ordeal was passed triumphantly, but he was replaced in his ward to *die*. The Confederate attendants, in passing through the hospital, frequently stopped to speak to him, and he always responded smilingly to their inquiries, that he was doing well and should recover. When asked if he did not regret having invaded their territory, he invariably answered: "No, no, he had nothing whatever to regret!"

With his comrades, however, he confessed that his sufferings were intense, and expressed doubts of his recovery. The last time I conversed with him, he requested a pipe of tobacco, which I procured for him, and left him tranquilly smoking in his cot and apparently enjoying his own reflections. In a little while he called me again to his side, and in the politest manner asked me to bring him some water, which I speedily obtained. A short time afterward I again approached his couch and discovered that *his face was covered*. He had indeed,

Passed through Glory's morning gate,
And walked in Paradise.

The only instance of brutality that I witnessed, occurred during an operation performed upon a Michigan Captain. His right

thigh had been shattered by a minie ball, and required an amputation at the *hip*. Probably no severer operation is known in surgical practice. The subject was stupified with chloroform, and the sponge was constantly held to his nostrils; but his shrieks and groans were unintermitting, and agonizing in the extreme. During the operation, a rebel soldier employed in the hospital stood at his head, assisting to hold him down. His sense of the proprieties of the occasion could not tolerate the cries of the wretched victim, and he rudely told him to "stop his noise," and "shut his mouth." Not finding himself obeyed, the brutal fellow with great rudeness clasped, or rather struck, both of his palms over the Captain's face, and held them firmly there till discovered by one of the students, who then ordered him from the room. The operation was finally performed, the limb being disjointed at the *hip*. Three hours afterward the sufferer was relieved by death.

One other case of a totally different character may be noted. Upon one occasion a young man was borne into the hospital who represented that he had *seven bullets* in his body. His sufferings had excited much sympathy at Manassas, and upon removal he had to be carried to the cars on a litter. His groans drew tears of pity from even the Confederate guards, and every one who approached him expressed the opinion that it was the most shocking case that had appeared. He was handled with exceeding carefulness in being conveyed to the hospital, and immediately placed upon a cot, not, however, without extorting some of the most agonizing utterances to which I ever listened. Dr. Peachy soon approached him and inquired as to the nature of his wounds. "Seven bullets," was the laconic response. "But where are they?" continued the Doctor. "One of them went in my ear, and I feel it in my head," was the reply, "but you can't find it, and there's no use of trying."

As to the locality of the other wounds, he professed ignorance, with the exception of one, which he said had shattered his foot. The foot was examined, and the heel of it was found to be slightly contused. Finally, the sufferer confessed that this was the extent of his injuries. He said he had feared that unless dreadfully wounded he would be roughly treated, if not put to death, and had accordingly determined to resort to a Yankee trick. It was highly successful. He was immediately christened "*Seven Bullets*," and is known by no other title among his prison associates to this day.

CHAPTER IV.

Among the prisoners taken at Bull Run was Capt. Ricketts, of Rickett's Battery, Regular Army. He was severely wounded, and was removed with others to the General Hospital, where he was placed with the commissioned officers, in an apartment on the second floor. I introduce his name in this connection for the purpose of testifying to the devoted heroism of his affectionate wife, who, having heard of his misfortune, immediately proceeded from New York to Washington, and, unattended, made her way to the enemy's lines, and surrendered herself a prisoner, with the request that she might be permitted to attend her husband. Her application was granted, but while journeying from Manassas to Richmond, she was grossly insulted by the rebel soldiery, and encountered many formidable obstacles to the success of her mission. Her indomitable perseverance was, however, at length rewarded, and she obtained admission to the hospital, where she remained several months. Once there, her kindly attentions were not restricted to her husband, or to the officers' apartment, but in a little while she was known to all the inmates, and her cheering smiles and womanly sympathy were like gleams of sunshine upon every heart. When I was removed from the hospital she was still there, faithfully administering to the wants of the suffering and encouraging the desponding to hope for better days. There are none among the prisoners who can recall the name of Mrs. Fanny Ricketts without feelings of the deepest gratitude and brotherly affection.

Several of Ellsworth's Fire Zouaves were among the wounded, and I observed that they were regarded by the Confederate soldiers with a feeling of aversion which they were at no pains to conceal. One of their (the Zouaves') number was a young Virginian named Brown, who had long resided in New York. Shortly after his arrival at the hospital he was visited by his father, who is a resident of Richmond. The interview was not characterized by any display of tenderness on either side, but was one of those scenes, rather, which are best calculated to illustrate the implacable hatred with which the rebels regard *all* who have not proved faithless to the General Government. The father was a stubborn rebel and the son a PATRIOT SOLDIER. The scene may be better imagined than described. After exhausting every argument and expostulation upon the unrelenting boy, the old man *disowned*, and declared that he would disinherit him. To this the young soldier replied that his only hope was that he might recover

from his wounds, get back to the Union army, and fight again for the Stars and Stripes! And thus they separated. The gallant soldier was among the released prisoners of the 3d of January, and upon placing his foot upon the Federal steamer was the very first to propose "three cheers for the Stars and Stripes." I regret to add that he is not yet fully recovered from his wounds, and was at last accounts confined in the military hospital at Baltimore.

I had been three weeks in the Richmond hospital when a large number of the patients were transferred to one of the tobacco warehouses, and their places refilled by Confederate soldiers, who were suffering from measles, typhoid fever and other diseases. They had been sent from the hospital at Manassas. No pains were taken to separate this class of patients from the Federal wounded, and it is not a little strange that these diseases, known to be infectious, were not communicated to other inmates.

This new fellowship was not particularly inviting, and the wounded generally reserved their sympathies for mutual exchange—assisting one another so far as practicable, and enjoying their little luxuries in common. By degrees, however, the new companionship ripened into familiar intercourse, and then came political discussions, which at times provoked considerable ill-feeling on both sides. All were *uncompromising* in their opinions, and the debates frequently terminated in the most emphatic and war-like declarations. At such times the excitement usually found vent in fist-shaking, and other threatening gestures, but upon one occasion, a prisoner gravely proposed that an equal number should be chosen from each side, of all that were able to *walk*, and who should go into the hospital yard and settle their contentions by a fair fight! The rebels would not, however, accede to this proposition, and thenceforth the Federalists regarded the question of our relative manhood and bravery as practically settled.

The fact of the matter was, (and I say it not in a boastful spirit,) that the rebels only desired to be let alone! It was the head and tail of their every argument. "Why do you come here to subjugate us?—Let us alone. We want peace—*let us alone!* We have done nothing—LET US ALONE!"

One of their number approached me—and he is the type of a *very* numerous class—and asked me with all candor if *I* knew what the South was fighting *for*? I told him what every soldier in the army of the Union knows. He was of the opinion that they were acting solely in self-defence; that the North, or Lincoln, had deliberately commenced the war with a view to subjugate the South, desolate their homes, liberate their slaves, insult their women—and all this chiefly that we might enrich ourselves, and gratify a feeling of wanton malice against our "Southern brethren!" And these opinions, religiously cherished, he assured me

were largely shared by the Confederate army. Yet with all their gullibility they have a latent suspicion of the open-eyed conspiracy of which they were made the victims; and it was easy to perceive that there were many among them who had "no stomach for the fight." They had been literally impressed into the service of the Rebel Government and awaited only a favorable opportunity to desert.

I could give numerous instances in point, but select a single one as a matter of local interest. I was accosted one day by a private (rebel) soldier, who came to the hospital as a visitor. He inquired my place of residence, etc., and upon learning it informed me that he was from Utica, N. Y., and had been employed as clerk for Owen Gaffney, Esq., (now of Rochester.) He mentioned the names of many persons whom I knew, and finally informed me that although a soldier in the rebel army, he was there because he could not help himself, and was seeking an opportunity to escape.

Speaking of visitors, there were others worthy of notice, and among them the dapper Vice President of the bogus Confederacy, Mr. Alexander Stevens. There were a number of Georgians confined in the hospital, and Mr. Stevens had called to inquire after their welfare. He is a foppish little fellow, with long, straight hair and a beardless face, wears his hat at an acute angle, sports a switch cane and a Byron collar, and might be mistaken, at first glance, for a broken down theatre actor. I think he would probably turn the scale of 125 pounds, if he bore down very *hard*. He is of a reserved demeanor, quiet, unpretending and agreeable in conversation, and while talking with the prisoners seemed to studiously avoid any remark that could be supposed to injure their feelings. He visited us quite often.

We were also "honored" with a call from the editor of the Richmond Dispatch, who came in disguise, and regaled the prisoners with plug tobacco and cigars, professed the deepest sympathy, and was exceedingly inquisitive. The day following he spread before his readers an account of his observations at the hospital, wherein he took occasion to denounce us in the most unsparing terms. Tray, Blanche and Sweetheart joined in this demoniac *yowl*, and for a brief season little else was advocated by the Richmond press than a proposition to remove the "lazy Yankees" to the coal mines as soon as their wounds were healed, and compel them to work for their living. The editor of the Dispatch subsequently renewed his visit, and was recognized. The boys, however, professed to regard him as a stranger, but improved the opportunity to introduce the said editor as a topic of discussion, and berated him to their satisfaction. Believing himself unknown he bore it without remonstrance, but did not remain long, and we never "looked upon his like again."

We had visitors of every class. I was leaning upon the balcony one day, when an elderly lady approached me, saying that she desired to pass into the ward where the Confederate patients were confined, but she did not want to see any of the "horrid Yankees." I had understood that the popular superstition respecting Federal soldiers, savored of horns and claws; but not calculating the effect of a sudden avowal, I remarked, in winning accents and with the pleasantest distortion of countenance of which my facial muscles were susceptible, that I was a "beast of Ephesus" myself! The disclosure seemed to take effect in the lady's stomach, for after a tragic and momentary collapse which threatened to snap the spinal column, she wildly flung up her arms, exclaiming "O-YAH-UGH!" and vanished.

On every Sunday the outskirts of the prison were thronged with visitors, who had come upon a staring expedition, and seemed amply repaid if they obtained a glimpse of the Yankees. Barnum's Museum would have passed for a side-show, in comparison with the hospital attractions. Upon one occasion I was standing at the window with a companion, when we were accosted by a savage-looking fellow under a planter's hat, and very genteely dressed, who asked me if I had had enough of Bull Run. I replied by inquiring if he was there. No—he was not. "I supposed not," said I, "for any one who would insult a prisoner is too cowardly to go where there is any danger."

I regretted the observation, for it was no sooner uttered than the prancing fire-eater emitted the most sulphurous volley of oaths that I had heard on the "sacred soil." Fuming and snorting with wrath he paced backward and forward, his glittering eye

"In a fine frenzy rolling,"

till having collected himself for a second attack, he exclaimed, "Well, you belong to the Confederates *now*—you are in *our* power."

My companion asked him if *he* belonged to the Confederates? "Yes," he rejoined with emphasis, "*I do!*"

"Well, what does your master ask for you?" said the former.

This was a sad blow to the "chivalric" Southerner, who was of a suspiciously *dark complexion*, and certainly could not be classed among "poor white trash." To add to his discomfiture, the bystanders laughed as heartily as the "Yankees." The only resource of our rabid friend was to cast out another volley of oaths, but before he could do justice to his subject, he was walked off by the guard.

CHAPTER V.

The scarcity of lint, or plaster, was the most serious want experienced by the hospital surgeons, and at one period the supply was entirely cut off, and our wounds were for a time left undressed. "Tell your master, Lincoln, to raise the blockade, and then we will provide for you," was the frequent remark of the surgeons. "As it is, we haven't enough for our own wounded, and they must be served first." Cotton was substituted, and that article being a "drug" in the medical cabinet, it in point of *quantity* subserved the desired purpose.

On the 11th of September I was transferred from the general hospital to Prison No. 1—a tobacco warehouse, situate on the bank of the James river.* There were some half dozen tobacco factories appropriated to similar purposes, but my observations were necessarily restricted to the one in which I enjoyed a "personal interest." It is a lofty brick building, three stories in height, its interior dimensions being seventy feet in length by twenty-six in width. The second and third floors were occupied by private soldiers, (captured at Bull Run,) and the lower floor by the commissioned officers and a number of civilians, among whom were our late lamented fellow-citizen, Calvin Huson, Jr., Esq., and the Hon. Alfred Ely.

The windows of the third story commanded an excellent view of the city and its environs, but from the lower floor little was to be seen, beyond the street boundaries. I was placed in the department occupied by the privates. It was in a most crowded state, as may be inferred from the fact that at no time were there less than one hundred and thirty, and often as many as one hundred and fifty occupants. There were no artificial conveniences for either eating or sleeping. At night the prisoners stretched themselves upon the bare floor, uncovered; and at meal time—if the irregular and melancholy farce of *eating* may be thus interpreted—they sat upon the floor, ranging against the walls, and (in primitive style) devoured whatever they could obtain.

A more gloomy and revolting spectacle can hardly present itself to the imagination, than was afforded by these filthy quarters. Let the reader picture a hundred haggard faces and emaciated forms—some with hair and beard of three months growth—so miserably clothed, in general, as scarcely to subserve the purposes of decency; and many limping about with pain from healed wounds;

*See engraving.

and then some faint conception may be obtained of the wretched condition of these Union prisoners. I have still in my possession a note which I received from one of my comrades (an inmate of this prison), while I was still in the hospital. It reads as follows:

TOBACCO WAREHOUSE, August 25, 1861.

DEAR MERRELL: Have you got or can you get us a shirt or two and a pair of drawers? I am almost entirely naked. The shirt I have on, I have worn for three weeks. It was very much torn when I put it on, and now it is all in ribbons. My woolen shirt, drawers and a pair of stockings are all somewhere in the hospital. I don't suppose you can find them, but if you possibly can, *do* send at least a shirt, if no more. If you can't, heaven only knows what will become of me. I am very much in need of a towel, also.

My wound is getting along well—indeed, I am getting stronger. There are quite a number of our regiment here, but none from our company. Please give my kindest regards to Sister Rose, and tell her I most heartily wish myself back under her care. J.

P. S.—If you can get a piece of corn bread, send that along, too. We don't see any of that article in these parts.

The condition above described was characteristic of a large portion of the prisoners; yet there were many whose privations were even worse. The prison discipline was as follows: Between eight and nine we received our morning ration, which consisted of bread (half baked), beef and water. The individual allowance was in quantity about *one-half* what a well man would naturally require. Our second and only other ration was received between four and five in the afternoon, and consisted of bread and soup—the beef dispensed in the morning being taken from the “slops” of the day previous.) This was the standard bill of fare. The prisoners, sick and well, were compelled to accept it or—go without.

A few of our number had blankets, and some of these were sold to the guard, and the avails appropriated to the purchase of edibles which could not be otherwise procured.

The “poetasters” of Prison No. 2 could not resist the impulse to immortalize our “Prison Bill of Fare,” and a concentrated effort at versification resulted in the following production, the authorship of which I believe is claimed by Sergeant Solomon Wood, of the 27th Regiment. I extract the more significant portions:

First, at the sink having performed ablution,
The problem, “*what's for breakfast?*” needs solution.
Like others not in Euclid, oft 'tis found
To tax researches that are most profound.
At length 'tis solved, when on his sapient head
A colored gemman brings a loaf of bread,—
Not common loaves, as in the shop you'll find,
Such large affairs must suit the vulgar mind.
Our friends take care our better tastes to meet,
So send us loaves that are unique and neat;

Our longing eyes upon the batch we fix,
 Then quickly eat our rations,—ounces six;
 So justly are our appetites defined,
 These loaves are not the largest of their kind;
 To season them withal, our friends allow
 Three ounces of some lately butchered cow;
 How long ago we say not, but the smell
 Would indicate it rather hard to tell;
 The doubt, however, is not worth discussing,
 Such things create unnecessary fussing;
 Besides, it would be wrong to heed such stuff,
 Rub it with salt, it then goes well enough.
 Thus, you perceive, all works have been at fault,
 To doubt the potency of Richmond salt;
 It sweetens and removes a doubtful flavor.
 We once, indeed, had coffee, but we fear
 Our friends have found the article too dear;
 So now, we eat our sumptuous breakfast dry,
 For, even they use coffee made from rye;
 Some time we Yankees may the secret steal,
 And make pure Java from bad Indian meal;
 At all their little failings we must wink,
 And so *ad libitum* foul water drink;
 Such is our morning meal; now, "what's for dinner?"
 Asks some insatiate half-starved sinner,
 As if the bounty of our christian friends
 Was not enough to answer nature's ends.
 The fellow craves till problem number two
 Calls the attention of a hungry crew
 That in a corner squat in deep reflection,
 Like cabinet ministers on home protection;
 With busy hands, at length, their pates they scratch,
 As if their brains a dinner there could hatch;
 'Twould seem, they had with one consent resolved
 To scratch until the problem had been solved.
 Others, again, beguile the weary hours
 With quiet game of cribbage, or all-fours;—
 Wrapt in a cloud of smoke from morn till noon,
 They don't expect a dinner from the moon.
 The sick lie on the floor as mute as mice,
 Poor *devils*, thankful for a little rice;
 While lame and lazy, seeming ill at ease,
 Are laying plans their hunger to appease.
 Some fellows who are lucky, having money,
 Though Yankees think the medium rather funny,
 With bogus bills of small denominations,
 Contrive to add a little to their rations;
 And eat at noon without a guilty blush,
 A pint of Indian meal, made into mush;
 Another brings to view his precious store:
 A bone, that he had picked too well before;
 This, (our pants inform us we are thinner,)
 Makes the sum total of our prison dinner.
 I now shall place in order proper,
 The dainty items of our prison supper:

At five o'clock, and sometimes half-past five,
A humming-sound is heard throughout the hive;
The boarders think their supper rather late,
And beat the deil's tattoo upon their plates;
Some get impatient, and the rest they choke
In stifling clouds of vile tobacco smoke;
For, be it known, a hog'shead found up stairs
Affords the boys a chance to "put on airs."
So those to whom the habit is quite new,
Can smoke a pipe, or take a lucious chew;
But as the boarders throng around the door,
Our colored gemman enters as before,
With graceful dignity, his load removes,
While some thin wretch his tardiness reproves.
Meanwhile, another of the sable race,
Whose comic grin o'erspreads his ebon face,
Upon his neighbor's heels had followed close,
And in his hands a curious looking dose,
But something floating meets the boarders' view,
It must be, yes it is, an Irish stew;
Just then the eyes of hungry sinners gleam,
Extended nostrils scent the fragrant stream,
The grinning darkey on his fingers blows,
His scalded hands to impatient boarders shows,
Then leaves his steaming buckets on the floor,
And with another grin he shuts the door.
Now, anxious to inspect the savory mess,
The hungry boarders round the buckets press,
But, short and tall, their open mouths they droop,
Their Irish stew is regulation soup;
Their happiness is changed to speechless grief,
The water, this, in which they boiled their beef;
Some friendly hand to make it somewhat thicker,
Had dropped a cracker in the tasteless liquor;
Of this, each boarder shares a standard gill,
Is quite enough, and warranted to kill.
To test its strength on us is their intention,
All the ingredients I dare not mention.
We crumble in our ounces, six, of bread,
Swallow the physic, and then go to bed;
This, be it known, is on hard boards,
The best the prison discipline affords;
Shades of the epicures of ancient Rome,
Whose deeds are writ in many an ancient tome,
Ye mighty men whose gastronomic feats
Were sung in ballads in Rome's ancient streets,
Whose wondrous deeds by Plato have been noted,
And crests by modern epicures been quoted,
Hold fast your laurels, for in Richmond Prison,
E'en at this day, your rivals have arisen;
Who, though they cannot boast a second course,
Have called from morn until their throats were hoarse;
Insatiate men, whose inwards nought can fill,
Not even tubs of stuff called wholesome swill;
Who crammed their stomachs with suspicious beef,
Would taint the fingers of a starving thief;

Whose hungry eyes, most starting from their sockets,
 Proclaiming they are starving men, with empty pockets;
 Who eat with gusto the Confederate swill
 That would a famished jackal surely kill;
 Assembled round Secession's filthy tub,
 Hyena-like, their eyes devour their grub;
 Nor can they have it in their hands too soon,
 But bolt it, dog-like, without fork or spoon,—
 Then, with a rag, moustaches must they wipe;
 Such rare perfection in the mystic art
 Might cause the souls of richer men to start.
 The famous soger may safely bood it,
 That he and all his tribe have got to hood it,
 And open shops where science is unknown,
 In some place bordering on the frigid zone.
 And tell the epicure, he may find there
 His fame was lost by this, our BILL OF FARE!

Some of the prison guards not unusually displayed their authority in the commission of the most gratuitous and unprovoked outrages. The notorious Lieut. Todd was singularly vicious and brutal in his treatment of the prisoners, and seldom entered the room without grossly insulting some of the inmates. He invariably appeared with a drawn sword in his hand, and his voice and manner, as he addressed the prisoners, always indicated a desire to commit some cruel wrong. Upon one occasion, with the flat edge of his weapon, he severely struck in the face an invalid soldier, who had not obeyed the order to fall-in for roll-call, with sufficient alacrity! At another time, one of the guard, in the presence and with the sanction of Todd, struck a prisoner upon the head with the butt-end of a musket. It is not to be wondered at that this ferocious and vindictive monster should be regarded with feelings of the deepest horror and detestation, and it was with the highest satisfaction that we learned he was to be superseded for his tyrannical conduct. What "benefits" we realized from a change of administration, will appear in the course of the narrative.

I believe that some of the prisoners attribute to Todd the crime of shooting some of our comrades; or, at least, believe that the shooting was done by his orders. To give the d—l his due, I must admit there was no satisfactory evidence of this; and conclude that such acts were voluntary upon the part of the sentinels. Whenever approaching the window, we were threateningly warned by the guard below, to stand back, etc.; but the curiosity of some of our poor fellows, hungering and thirsting for a glimpse of the outer world, sometimes overcame their apprehension of danger, and they suffered according.

The first victim of these Sepoy atrocities was private M. C. Beck, of the 79th Regiment. He was instantly killed by a

musket ball, fired by one of the guard, while he (Beck) was in the act of hanging up his blanket, on the *inside* of the window, to dry. Shortly after this occurrence, private R. Gleason, of the N. Y. Fire Zouaves, was likewise shot while looking from the window. His murderer (the guard) is said to have remarked, as he leveled his musket, "See me take that d—d Zouave in the eye!" The ball entered his forehead, and he fell instantly dead.

Four men of our number were seriously wounded in this manner, and one, private C. W. Tibbetts, instantly killed, under circumstances which were peculiarly flagrant and indefensible. The prisoners were occasionally permitted to visit, in couples, an out-house in the prison yard, and as Tibbetts and a companion were going thither, *with the consent of the guard*, a sentinel on the opposite side deliberately raised his piece and fired at them. The ball passed through the breast of Tibbetts, killing him instantly, and wounding his companion in the arm.

These atrocities passed unnoticed by the Richmond press, save in a single instance, the case of private Gleason, which elicited from the Dispatch the following mysterious falsification:

"SUDDEN DEATH.—A Yankee prisoner named Gleason, a member of the Eleventh New York Regiment, died very suddenly yesterday at the Confederate States Prison No. 1; cause, concussion of the brain, brought on by violent expectoration."

The indignation of the prisoners at these skulking and cowardly assassinations, could find no adequate expression; yet as the bleeding forms of their murdered comrades were one after another borne from their presence to the "negro burying ground," they felt that a day of Retribution, however long deferred, would be found in the book of the future.

The successor of Todd was a Switzer named Wurtz, a vulgar, swaggering fellow,

"Full of strange oaths, and bearded like the pard,"

and immensely inflated with the dignity of his position. The odor of his presence led to the suspicion that he had but a limited appreciation of the water privileges outside, or else improved them in homeopathic doses. His jargon was excessively amusing, and whenever the prisoners affected to misunderstand, he was thrown into a spasmodic rage.

I have spoken of the inferior quality and quantity of our food, but under the administration of Wurtz, we sometimes got nothing but bread and water. The escapes from the prison were numerous. Not less than one hundred in all, succeeded in getting away, but I believe all but eight were recaptured. Whenever an escape was discovered, Wurtz entered the prison in a towering passion, and with a series of frantic gestures commanded the

prisoners to fall in for roll-call. The fugitive, of course, did not respond. The keeper then demanded to know the circumstances attending his escape, but the prisoners refused to answer any of his queries. "Tell me," he said, "or you shall never be so sorry in your life. I shall keep you tree tays on pred and wasser."

"Oh, ho!" shouted a dozen voices, "Three cheers for Wurtz. He will keep us three days on bread and butter!"

"No, no, you tam villians. I say pred and wasser—*wasser*, not busser!"

And Wurtz was as good as his word.

CHAPTER VI.

At one extremity of the room on the second floor, was a small enclosure which had formerly been used as an office, and in which the proprietors of the manufactory had stored a quantity of tobacco, and a barrel of sweetened rum used for flavoring the same. The door of this mystic chamber had been nailed up, but sundry reconnoissances thereabout had established the fact above noted. A saw was accordingly manufactured from an old case-knife, and with this rough implement an entrance was effected and the contents of the room "confiscated" for the benefit of loyal citizens. I am confident that some of the prisoners appropriated a sufficient quantity of "Old Virginia Twist" to meet their necessities for many months; and as to the "sweetened rum," it is not to be wondered at that after such long abstinence, there should have been an excess of "rapture" at this unexpected—*discovery*.

Sergeant Wurts was not long in ascertaining that the "tam Yankees," as he invariably termed them, were in unusual "*spirits*," and upon detecting their burglary and depredations, he fell into a paroxysm of rage, and demanded the names of the ring-leaders. His investigation was unsuccessful, and, as usual, he determined to punish all. In this instance the sentence was quite severe, "Three days on bread and water, and then to be sent to New Orleans." This threat was fulfilled to the letter. After the bread and water diet, 250 of our number, (there were about 300 in all in the first and second stories,) were shipped to the Crescent City. Their places were soon refilled from the general hospital, and by prisoners more recently taken in Western Virginia.

Sergeant Wurtz seemed not unconscious that these acts of petty tyranny might one day "return to plague the inventor," and upon one occasion he went below, to the officers' quarters, and unboresomed himself in the following fashion:

"Vat you tink dem Yankees do, if dey get *me* prisoner, up Nort—eh?"

He was assured they would not hurt him, on any account.

"Oh!" said he, (I omit his profanity,) "I know besser. Dey will kill me sure! But I shall take care dey vill no catch me—but if dey do (shrugging his shoulders) I am certain dey will kill me so quick—so quick, I tell you—dat I shall know notting about it—ugh!"

And that was the only opinion ever expressed by the valorous Sergeant, in which the prisoners seemed heartily to concur.

The two hundred and fifty who were to be sent to New Orleans were composed of those who had not been wounded, together with such as had recovered from their injuries. Among these were private Conway, of Rochester, and Orderly Sergeant Joslyn, of Brockport, both of the 13th Regiment. Large crowds had assembled about the prison in anticipation of their departure, and as the prisoners were drawn up in line to be marched to the depot, every spectator must have been impressed by the fact that, notwithstanding their destitute condition—most of them being coatless, and many of them hatless and shoeless—they were a far superior class of men, both in point of physical vigor and intelligence, to the poor wretches who formed their escort. This fact was conceded even by Confederate officers, who seemed to regard their private soldiers generally, with a feeling of loathing and contempt. Why? Because, in a word, they were (as a class) the ignorant and degraded creatures known as the "poor whites of the South"—a people so contaminated by the moral filth of slavery as to have become the supple tools and implements of an unscrupulous oligarchy.

It was a gloomy day to all of us—yet less so than it would have been but for this refreshing contrast. The parting salute of our unfortunate comrades before evacuating the prison, was "three cheers for the Stars and Stripes," and the very walls and rafters of the old warehouse seemed to throb and quaver with the reverberations. A moment afterward they were marching below, and as they passed the prison windows, with the firm and elastic tread of veteran soldiers, every form was proudly erect, and many a beaming glance was cast backward to the prison windows, as happy voices shouted a last "Good-bye, Yankees! We're bound for Dixie!" They seemed every one determined that the enemy should have no occasion for exultation, and the citizens of Richmond must have looked with unaffected astonishment upon these manifestations of a loyal spirit, which no act of "Confederate" tyranny could either check or conquer.

I may mention that among the prisoners sent to New Orleans was Sergeant Steward, of the 14th Brooklyn. He was a Northerner by birth, (a citizen of Hopedale, Mass.,) but had lived in Richmond, where he was employed as an agent for the Sloat Sew-

ing Machine Company, and during his residence there he had formed a matrimonial engagement with a young lady of genteel and respectable parentage. Upon the commencement of hostilities, however, he returned to the North, and enlisted under the old flag. He was captured at Bull Run and imprisoned, as above noticed. By some means his betrothed learned of his misfortune, and being unable to obtain admittance to the prison, she daily appeared on the opposite side of the street, walking to and fro, and communicating with her lover by signs, as he stood near the window.

On the day when the prisoners were sent away she was early at her post, and carried in her hands a small parcel which she evidently designed to present to him; but she was not permitted to approach or speak with him, and she joined the throng which followed the prisoners, weeping bitterly. Subsequently, we frequently saw her promenading in her accustomed place, opposite the prison, gazing wistfully at the window at which her lover was wont to appear, as though a melancholy consolation were to be derived from a picture ever present to her imagination. The prisoners were all affected by these mournful evidences of her womanly devotion, and the subject was seldom referred to except with expressions of the deepest sympathy for the unfortunate couple.

“Had they never loved sae kindly,
Had they never loved sae blindly,
Never met nor never parted,
They had ne’er been broken-hearted.”

The name of the young lady is Sarah Swards. I should have withheld its publication, but for the fact that a brother of Sergeant Steward has written to me since my return, certifying to the truth of my original narrative of this occurrence, and giving the lady’s name. This letter was inadvertently published, and hence there is no longer any occasion for the suppression of any of these facts.

Chaplain Mines, of the 2d Maine Regiment, was among the prisoners taken at Bull Run, and was an inmate of the officers’ quarters. He was permitted to visit the second floor for a short time every Sabbath, for the purpose of conducting public worship, and upon one occasion, in concluding the services, he gave out the National Hymn “America”—

“My country, ’tis of thee,
Sweet land of Liberty,
Of thee I sing.”

It was sung by all of the prisoners, and with great feeling. Hardly had the services concluded, when the patriotic Chaplain was

informed by the Confederate officers that they were not to be insulted by such demonstrations, and as a penalty for his misbehavior, he would not thereafter be allowed to pass from the officers' quarters to the second floor.

We were thus deprived for a long time of the Chaplain's kindly ministrations; but this proceeding, so far from suppressing the obnoxious demonstrations, rather tended to aggravate the same, for on the succeeding Sundays, afternoon, the boys sang not only "America," but the "Star Spangled Banner," and then concluded the "services" with three ringing cheers for the Stars and Stripes.

On one occasion Lieut. Emac, a West Point graduate, (one of the officers in charge of the post,) entered the room with his drawn sword, and demanded the name of the prisoner who "started the singing;" whereupon a young man instantly stepped out and modestly remarked that he *believed* he was the man. Emac was not a little disconcerted at this proceeding, and retorted by several insulting expressions, calling him a Yankee coward, etc.

To this the prisoner coolly responded that if Emac would lay down his weapons and "step out," he (the speaker,) would show him which was the best man of the two!

The Lieutenant answered by saying that "if it was not for the name of the thing—of striking an unarmed man, and a prisoner—he would cut him down."

This chivalric fellow was familiarly known as "Bowie Knife," an appellation derived from the fact that on a former occasion, he gravely asserted that he was in the battle of Bull Run, and there killed one Brigadier General, two commissioned officers and three privates—all with a bowie knife. He flattered himself that he was a terror to the Yankees, but the above anecdote aptly illustrates the estimation in which he was held by "unarmed prisoners."

CHAPTER VII.

The circumstances attending the capture of Chaplain Mines, an Episcopal minister (previously referred to), were somewhat peculiar. Upon entering the field he took his place in the ranks as a private soldier, and fought till the wounded and dying required his clerical attentions. He was taken prisoner while thus engaged, near Falls Church. His valise, containing his surplice, service books, family daguerreotypes and private wardrobe, was taken from him, and shortly after his removal to Richmond a "brother" clergyman paid him a visit of condolence in the prison, and had the effrontery to confess that the articles which Mr. Mines had

lost, had been presented to him (the visitor), as *his share* of the trophies of the day. Mr. Mines solicited, and of course expected, a restitution of this ecclesiastical plunder, but his reverend brother bluntly declined to disgorge, remarking, that as a prisoner Mr. M. should be treated with all due circumspection; and adding that if he (the Southern Chaplain) should meet with a similar misfortune, he hoped he would receive an equal degree of consideration at the hands of the Federals.

Mr. Mines replied that the Federal Government did not make war on Confederate Chaplains, and if by chance he (the visitor) should be taken prisoner, he would be released with a fitting apology for the act. He further stated that if he was himself released before the termination of the war, he had determined to rejoin his regiment as a commissioned officer, and thenceforth make fighting the *rule* instead of the *exception*. I am happy to state that he has been released, and is now, I trust, in a position which he is so well qualified to fill.

There was so little to relieve the monotony of prison life in the quarters of the private soldiers, that it was often a satisfaction to learn that our guard had devised some new annoyance as a penalty for wrong-doing. Escapes, as I have before stated, were not unfrequent, and were generally effected in broad day. The Confederate soldiers so often passed through the prison, that, with a change of guard, it was not difficult for a prisoner to counterfeit the dress and manner of a native, and pass the guard with impunity. It needed only a suit of gray and a slouched hat, and sundry exchanges among the prisoners completed the rig.

Upon one occasion, while looking from the window to Hospital No. 2, which stood opposite our prison, I heard my name shouted, and glancing in the direction of the sound, I discovered my old comrade, Billy Hanlon. He was lying upon a cot near a window, and was shaking at me, laughingly, the stump of his amputated leg. I was so thrilled by the unexpected discovery, that without reflecting upon the probable consequences of the act, I brushed by the Confederate guard, passed through the prison yard, entered the hospital, and soon found my way to the cot of my crippled comrade. After a short interview I returned in safety, and then learned that had not the guard supposed I was a Confederate soldier I would have been instantly *shot down* while passing from prison to hospital.

Eight of the prisoners escaped at one time, but they were all captured and brought back after a short interval. It was customary to handcuff the returned fugitives, but this method of restricting their liberty was without the desired effect; for as soon as the janitor's back was turned, *the shackles were unlocked* by a key which some ingenious Yankee had manufactured from his beef-bone!

Nothing in the world of art or mechanism is considered beyond the "craft" of a Yankee who is in possession of a jack-knife and a bunch of shingles, but I doubt whether, in case we had obtained shingles instead of bones, as the chief part of our rations, they could have been used to a more ingenious purpose. After the bones were well picked, their value was greatly enhanced, and they not unfrequently became "bones of contention" among the prisoners when the "stock" ran low. There were few indeed who did not soon acquire the art of manufacturing, with knife and file, articles of ornament or utility, such as finger-rings, crosses, shields, dice, tooth-picks, dominoes, shirt-studs, sleeve-buttons, eagles, forks, spoons, and darning needles! Hence, although very few of the prisoners were habitually profane, it was not unusual to find one darning his stockings, while another was d——ing his corns. The trinkets were in great demand by the Confederate officers, and afforded a considerable revenue to the more industrious. Many a poor fellow has earned a palatable ration by the disposal of some choice sample of his cunning handicraft; and as we were denied the solace of books, these innocent employments sufficed in a great measure to lessen the tedium of a protracted imprisonment.

The diversions of the prisoners sometimes took the form of theatrical representations. I was informed that among the inmates of Prison No. 2, (which like Hospital No. 2, was adjacent to our own,) there were several professional actors, who, with the assistance of innumerable "supes," managed to render their performances highly successful. The audience were of course upon a dead level, but the programme invariably required that "front seats" should be reserved for cripples. The drama of Rob Roy was on one occasion presented to an "overflowing house." The Confederate officers who had consented to patronize the drama, were admitted at the rate of fifty cents per head. Few deadheads could pass the doorkeeper. The first part of the exhibition, Rob Roy, was highly applauded; but the after-piece, in which the author had embodied a scene at Bull Run, had a very depressing effect. The scene referred to illustrated the capture of a "Live Yankee" by ten Confederate soldiers, armed to the teeth with sharp sticks, and bristling with pasteboard bowies. Unfortunately for the success of the representation, the author had maliciously introduced some passages reflecting upon the gallantry of the Confederates. The result may be imagined. Our Confederate "patrons"

Stood not upon the order of their going, ut went at once, and ever after refused to lend their encouragement to the revival of even the "legitimate drama."

CHAPTER VIII.

Shortly after my removal from the hospital to the prison, I was permitted through the agency of Messrs. Ely and Huson, to visit the officers' quarters during the day, but at night was required to return to the second floor. This peculiar privilege was allowed me till, at the request of the commissioned officers generally, my name was transferred to their own list, and I thenceforth became a permanent occupant of the lower room.

There were between sixty and seventy in this department of the prison, ranking from Colonel to Lieutenant—the only civilians being Messrs. Ely and Huson of Rochester, Mr. Flagler of Virginia, and Mr. Taylor of Ohio. The public generally are familiar with the circumstances attending the capture of Messrs. Ely and Huson of Rochester. Mr. Flagler resided in the neighborhood of Bull Run (i. e., the battlefield), and he was arrested for harboring Mr. Huson. He was a kindhearted, christian gentleman; but respecting his political opinions this deponent sayeth not, for obvious reasons.

Mr. Taylor was a citizen of Ohio, but was a property-holder in Virginia, and went thither in July to look after his estates. With a view to combine pleasure with business, he unfortunately ran out to take an observation while the battle of Bull Run was progressing, and was seized by the Confederates as an "alien enemy." He is a staunch Unionist, and during his captivity made no effort to repress his loyal sentiments.

Among the more distinguished officers confined in the prison when I arrived, were Colonels Corcoran and De Villiers and Major Porter. Subsequently Colonels Lee and Cogswell, Major Revere, and some twenty Captains and Lieutenants were added to our number from Leesburg.

During the first two or three months of their imprisonment, the officers enjoyed few conveniences superior to those of the privates; but after receiving remittances from the North, a considerable improvement was effected in this regard. Tables were erected, cots and blankets procured, and knives and forks were added to the facilities for eating. They clubbed together in messes, and lived chiefly at their own expense. Privates were employed for the culinary work, and everything, with the exception of the meat (which was prepared in the yard), was cooked over the gas-burners. The prison was furnished with one cylinder coal-stove, which answered only for heating purposes.

Messrs. Ely, Corcoran and three other officers, messed together, and Mr. Huson with the "Highland mess," which was composed of officers of the 79th. My own grateful acknowledgements for a similar favor are due to Lieuts. Parke, Booth, Hart, Kittridge, and Hancock. The meals were regularly served, three times per day, and in general the food was palatable, and though including few luxuries, was quite expensive. The standard bill of fare consisted of beef-steak and bread, (which was furnished by the Confederacy,) coffee, adulterated with corn, at \$1.25 per pound; sweet potatoes, \$1.50 per bushel. Our sugar cost 50c. per pound. Some of the messes obtained butter, which (if I remember correctly) cost seventy-five or eighty cents per pound; hams 25 and 30 cents. Eggs were scarce at 5 cents apiece; nutmegs, for an occasional pudding, ten cents each; whisky, on physician's "prescription," fifty cents a pint; common molasses, twenty-five cents per quart.

There was a great scarcity of provisions in Richmond, and "Lincoln's blockade" was denounced by the rebels in unmeasured terms. Salt sold from \$18 to \$26 per sack; boots, from \$20 to \$26 per pair; shoes, \$7 to \$15 ditto; clothing was fabulously high, and very little to be obtained at any price. Confederate uniform coats sold at \$50 each; and complete suits were regarded cheap at \$100. In the way of trimmings, yellow braid was substituted for gold lace, as there was none of the latter in market. Ordinary note paper cost two cents per sheet, and buff envelopes ditto. In short, ruinous prices were demanded for everything but cotton, and that was disgustingly plenty!

The origin of the Richmond Prison Association was a meeting of the officers to devise plans for their mutual comfort. It resulted in the election of a President and Secretary and the organization of a society under the above title, whose regular meetings were held weekly. Hon. Alfred Ely was the presiding officer, and Mr. Edwin Taylor the Secretary. The first order of business was the election of candidates, who were formally introduced in a speech from the "page," (Lieut. Hart,) and were afterwards requested to respond, which they usually did by recounting the manner of their capture, etc. The "test question" was then put—"What did you come down here for?" and then the fun commenced in earnest.

The following song, composed by the "page," (Lieut. Hart,) was sung in the prison every evening, to the tune of "Poor Pilgrim:"

Come, fellow prisoners, let's join in song;
Our stay in this prison, it won't be long.

CHORUS—Roll on, roll on, sweet moments roll on,
And let the poor prisoner go home, go home.

Our friends at home have made a demand,
To have returned this patriot band.
(Chorus and repeat.)

The public press they are bound to obey,
For from the people they receive their pay.
(Chorus and repeat.)

Congressman Ely is first on the list;
He'll soon be there, our friends to assist.
(Chorus and repeat.)

And give to his mind its widest range,
To "spread himself" on the theme of exchange.
(Chorus and repeat.)

This is the way I long have sought,
And mourned because I found it not.
(Chorus and repeat.)

If you get there before I do,
Look out for me, for I'm coming too.
(Chorus and repeat.)

For now that the thing has got a start,
They have concluded to send old Hart.
Roll on, roll on, sweet moments roll on,
And let the poor prisoner go home, go home.

The enchanting effect with which this mellifluous and affecting production was rendered by the united voices of the Association, usually attracted a large crowd of citizens to the prison windows; and it was the general conviction of the inmates that the nation had lost a brilliant poet in winning a gallant soldier.

The sessions of the society were highly entertaining and its records are worthy of preservation. Mr. Ely, I understand, has in his possession a report of the proceedings taken by himself, including sketches of the speeches, &c., which he proposes soon to publish, in connection with his own experiences of prison life.

I need not dwell upon the incidents of our prison life, many of which, however, I think would bear repetition. I shall relate but a single one in this connection, as an illustration of the proverb that truth is stranger than fiction.

I have before stated that some of the private soldiers, from the upper rooms, were employed in the officers' quarters, a service which they gladly accepted as affording superior rations. Among these was Corporal M——n of New York, a young man of wealthy parentage, of attractive manners, good intellectual endowments, and withal "handsome as Apollo."

At the request of some of the officers he was occasionally permitted to visit the lower floor, and upon one occasion was allowed

to leave the prison on parole, for the purpose of purchasing supplies. While thus passing through one of the main thoroughfares, M——n was accosted by a little girl, who presented him with a bouquet, at the same time pointing to a young lady on the opposite side of the street, as the donor. The Corporal acknowledged the gift by a polite bow, and proceeded upon his mission. The lady, apparently fascinated, followed him at a distance, to the prison, and as he entered it, reciprocated his salute, and leisurely walked away.

For some inexplicable cause the Corporal was not again permitted to go out, and a negro,—I should have mentioned that quite a number (officers' servants) were in the prison—was despatched in his stead. The negro had not proceeded far, when he was met by the young lady referred to, and the sequel to their interview was developed in a package with which he returned to the officers' quarters, and delivered to Corporal M——n. It was found on examination to contain a *new suit of clothes*, and upon one garment was pinned a small card, neatly inscribed with the name of his benefactress—

“Only this, and nothing more.”

Corporal M——n instantly addressed himself to the task of epistolary composition, in which he gracefully acknowledged the receipt of the gift, and expressed his heartfelt thanks. This was delivered by the negro on the day following, and he returned with a package containing a number of pocket-handkerchiefs, socks and shirts!

As in the first instance, the only communication which accompanied the gift was the donor's card. The Corporal again acknowledged his obligations by a polite note, which was duly delivered through the same medium.

Thenceforth the Corporal was in daily receipt of the choicest dainties, and a regular epistolary correspondence was carried on until the day of his release, which occurred on the 3d of January. A matrimonial engagement had been made during the interval, with the understanding that the parties would meet in Baltimore on the 1st of March next.

I have omitted to state that the Corporal had been sent back to his old quarters, but having ascertained that his fair *inamorata* daily promenaded within view of the officers' quarters, he obtained employment below as cook, and was thereafter unfailingly at his post to reciprocate the loving smiles of his betrothed.

She had sent him her daguerreotype, which he frequently exhibited to me. It was a lovely image, and one that would have required no “collateral” inducement to carry captive the most frigid or lethargic fancy. I learned that she was of a wealthy

family, and of as "good blood" as was to be found among the F. F. V.'s, and her letters, I was assured, evinced that she was no less intelligent than refined.

When the glad tidings of our release came, the name of Corporal M——n was found in the list. This intelligence was quickly conveyed to his yearning admirer, and he expected once more to see or communicate with her before leaving Richmond. We saw nothing of her, however, as we marched through the streets of Richmond, though the Corporal's longing vision was strained at every animate object.

But when a halt was ordered, a fine carriage, driven by a negro, suddenly made its appearance, and stopped at a short distance from our ranks. A lady descended—there was a brief, but earnest colloquy among the Confederate officers of our guard—and the next moment the enraptured twain (Corporal M——n and his romantic affianced) stood face to face! A few words, the first they had ever exchanged in person, were hurriedly spoken, in subdued, yet melting tones; the engagement was sacredly renewed—their faces were for a moment lighted, as with a flame—there was a fervent, thrilling pressure of their hands, and they separated!

A circumstance is connected with the daguerreotype, above referred to, which deserves a passing notice. Before it left the prison, the picture was taken from the case, and a small slip of paper, closely written, and addressed to Gen. McClellan, was deposited therein, and the daguerreotype then replaced. On reaching Washington the paper was safely delivered to the commander-in-chief, a meeting of the Cabinet was called, and the day following *there was a leak stopped*—a mysterious leak, from high official circles, and which had inestimably benefited the rebels for many months.

CHAPTER IX.

The question of "exchange" was naturally uppermost in the mind of every prisoner, and was at intervals an untiring theme of discussion. One had but to lisp the word, and a crowd of his associates was instantly gathered about him, canvassing the subject with as much interest and energy as though it were newly broached, and extracting fresh encouragement from every sage or emphatic observation predicting a speedy release.

It was our first impression that we would be detained but for a few days; that the Federal Government only needed to be apprised of our situation, and our numbers, to proffer the requisite exchanges from the prisoners in its own custody. This opinion at length yielded to the belief that another advance was contemplated, and that our own destiny depended, in a great measure,

upon the result of a second battle. A new apprehension here presented itself, for it was openly threatened by the rebels that, in the event of their defeat at *Manassas*, the Union prisoners would be assassinated by the Confederate soldiers in Richmond! I confess that I had less fear of the Richmondites than of a reckless, infuriated and *retreating* army.

It will be borne in mind that certain of the Richmond press were particularly hostile to the prisoners. When it was rumored that Colonel Brown of Fort Pickens meditated an attack upon the navy-yard at Pensacola, several of the more influential of the Southern journals earnestly advocated the policy of filling the navy-yard with Union prisoners; arguing that Brown would then be compelled either to sacrifice his own friends or to altogether withhold an attack.

But harrassed by such reports, we still remained in Richmond, and as the weary days and weeks were added to our confinement, without affording the slightest prospect of a release, the most hopeful became disheartened. The official indifference manifested at Washington toward us seemed unaccountable. We could not understand why the Government was unwilling even to *meliorate the condition* of men who had fought honorably in its defence, and had thus not only become *prisoners*, but were known to be actually suffering from the want of food and clothing. Yet notwithstanding these discouragements, I believe that at no period would any member of the Richmond Prison Association, have consented to receive his discharge at the sacrifice of a single principle involving the national honor. And these reflections lead me to the narration of the most painful chapter of my prison experience—viz: the illness and death of Calvin Huson, Jr.

Mr. Huson was at the time of his capture in feeble health. The fatigues of the day had so nearly exhausted his physical powers that he was obliged to seek temporary rest and shelter at the farm house of Mr. Flagler, near Centerville. Had he been aware, as he afterward informed me, that it was a place of danger, he would have pushed forward at any cost, and could have easily effected his escape. He was taken prisoner on the morning of Tuesday, the 23d of July, the second day following the battle, and was instantly conveyed to Manassas, and after a few days detention, to Richmond, where he was placed in Prison No. 1. When I first saw him, seven weeks after his capture, he had very perceptibly changed. He had lost that healthful glow of countenance and the "judicial plumpness" of figure, which I had formerly observed, and his habitual expression was one of settled melancholy. It was plain to perceive that he was suffering from serious ill health, and though endeavoring to appear easy, pleasant

and unconcerned, in his social intercourse, this was evidently accomplished with much effort.

During my first conversation with him, he adverted with a feeling of deep anxiety to the probable distress of his family at his unexpected misfortune, and to the unsettled state of his private business affairs. He looked forward to his examination, however, with the utmost confidence, feeling satisfied that he would not be unduly detained by the rebel government a moment after he had been afforded a hearing. But in this he was sadly mistaken, and it was, perhaps, owing to the unchangeable conviction of his mind that he was soon to receive his discharge, that he was so overwhelmed by the announcement to the contrary.

His examination took place before C. S. Commissioner at Richmond on the 18th of September, as I find by reference to my Diary. He was then quite ill, though not confined to his bed. The decision of the Commissioner, which was for several days withheld, was announced to Mr. Huson by Gen. Winder, and was briefly to the effect that he would be held as a prisoner of war. Though this was a severe blow to Mr. Huson, he bore it with unaffected dignity and resignation.

About the 28th of September his health began rapidly to decline, and from that time forward he was constantly confined to his bed. His disease was pronounced to be typhoid fever. Dr. E. G. Higginbotham was his physician, and was unremitting in professional attentions, but evidently—and as Mr. Huson himself assured me—"the Doctor did not understand his case." All in the officers' quarters deeply sympathised with him, and would have made any sacrifice in their power for his restoration.

Mr. Ely was likewise kindly attentive, and subsequently obtained his removal to the residence of Mrs. John Van Lew. Had this transfer been effected at an earlier date, the unfortunate man would have been spared much needless suffering. The incessant noise and confusion upon the second floor was a source of constant disquiet to the patient, and rendered it impossible for him to sleep; yet Mr. Ely's request for his removal was disregarded until within five days of his death.

Prior to this I was frequently at the bedside of the sufferer, and watched with him three consecutive nights. He conversed a great deal, and to that end expressed a wish that he might constantly have a companion, saying that he wanted "to talk to some one, or to have some one talk to him." His mind usually reverted to his home, and often dwelt upon topics of public interest in Rochester. In reviewing his own official career as District Attorney, he adverted freely to the more important trials—the Ira Stout case, etc. Alluding to another important trial, and one which created a remarkable sensation at the time, he spoke of it as the most

earnestly contested case in which he ever participated, and confessed to the deep mortification he had experienced at his defeat. He said that his convictions of the guilt of the party had undergone no change.

Another significant remark may with propriety be quoted here. Respecting the hardships of close confinement to one who had formerly enjoyed the most perfect freedom and active habits of life, he felt that in his position as District Attorney he had not appreciated the feelings of the criminals whom he had convicted, when arraigned to receive their sentences; and he felt that were he ever again to occupy the position of prosecuting attorney—though, if convinced of the guilt of the accused, it would be his duty to labor for his conviction—he would nevertheless recommend him to the mercy of the court. It was his consolation to know that he had never striven to convict a prisoner whom he believed to be innocent of the charge. On the other hand, he assured me, that in cases of this character, where he had become fully convinced of the guiltlessness of the accused, he had adjourned the case, consulted with the defendant's attorney, and given him the advantages of his own discoveries.

Mr. Huson early confessed to an apprehension that he would not recover. He said there was something in the atmosphere of Rebeldom that poisoned his whole being. At a later period, and when quite low, he expressed the opinion that if he could but once more reach his home, or even once more stand under the flag of the United States, he would become a well man. Mr. Huson conversed much upon the subject of religion, and I believe that he died in the Christian faith. I frequently approached his couch, under the supposition that he was asleep, and found him to be engaged in earnest and heartfelt prayer. During the latter part of his illness his mind frequently wandered, and he expressed to me a fear that should he recover his health, his mental faculties would remain impaired. In his lucid intervals he was always tranquil, for he had fortified himself against the worst event, and seemed only to grieve for his family. And thus by degrees—

“He faded, and so calm, so meek,
So softly worn, so sweetly weak,
So tearless, yet so tender, kind,
And grieved for those he left behind.

* * * * *

“A little talk of better days,
A little, *our own* hopes to raise;
Yet not a word of murmur, not
A groan o'er *his* untimely lot.”

I cannot forbear mentioning here, to the everlasting disgrace and infamy of Capt. Gibbs, the (Confederate) officer of the post,

that on the day of Mr. Huson's removal to the house of Mrs. Van Lew, he was required to *sign a parol of honor* not to attempt an escape. Though suffering from extreme exhaustion, unable to sit up in bed, and regarded by all his fellow prisoners as a dying man, he was yet compelled by the rebel officer to execute this parol. In order to do this, two of his fellow prisoners assisted to raise him up, and the paper was duly subscribed. It was happily the last "duty" which Mr. Huson was required to perform.

The sufferer was very kindly cared for in the family of Mrs. Van Lew, and Dr. Higginbotham was, as usual, faithful and untiring in his professional attentions. But deprived of the society of his familiar friends, and practically cut off from the sympathies which had buoyed him up during his prison confinement, the sufferer rapidly declined; and on the morning of the 14th of October, Mr. Ely received a brief note from Mrs. Van Lew, announcing that his friend was at the point of death. Mr. Ely repaired as speedily as possible to the house, but before his arrival Mr. Huson had expired.

The funeral was attended from the house of Mrs. Van Lew, by the Rev. Dr. Mines, officiating clergyman, and Mr. Ely. The remains had, by order of Mr. Ely, been placed in a metallic burial case, and were interred in the Protestant Cemetery, near the General Hospital.

The only letter addressed to Mr. Huson, which ever reached Richmond, was delivered to Mr. Ely on the day following Mr. Huson's decease.

Soon after his death, a special meeting of the Prison Association was held, and suitable notice taken of the event. Addresses were made by Messrs. Ely, Flagler of Va, Mines of Maine, Church of Rhode Island, Taylor of Ohio, and others. The Masonic Fraternity, of which Mr. Huson was a member, was represented in the persons of several prisoners. I present the resolutions which they adopted:

F. A. M.

Whereas, The members of the fraternity of Free and Accepted Masons, who are prisoners of war in the city of Richmond, Virginia, have heard with deep regret of the death of Calvin Huson, Jr., Esq., a Royal Arch Mason of distinguished standing in the city of Rochester, N. Y., and late our fellow prisoner: Therefore,

Resolved, That we convey to the wife and family of the deceased, our sincere sympathy in their bereavement; feeling that, as they have lost the devoted husband and father, so we mourn one who was an able man, a warm-hearted brother, and an ornament to our Order.

Resolved, That it is our duty to send our testimony to the brethren who were connected with the Lodge and Chapter of our deceased brother, as to our appreciation of his noble qualities of head and heart.

Resolved, That the Rev. Bro. Mines be requested to transmit these resolutions to the family of the deceased, and to our brethren at home

with the request that they be published, as a testimony on our part of the high esteem in which brother Huson was held.

Comp. JOHN F. MINES, } *Chairman.*
Grand Chaplain of G. L. of Maine, }

Comp. M. A. PARKE, Excelsior Chapter No. 12, Michigan, *Sec'y.*
RICHMOND, Va., Oct. 19th, 1861.

The Brethren F. A. M. convened on the 19th of October, were the following, viz:

Comp. Rev. John F. Mines, Chaplain 2d Maine.

" Lieut. M. A. Parke, 1st Michigan.

" Capt. William Manson, 79th N. Y. S. M.

" Lieut. Thomas B. Glover, 4th Maine,

Broth. Lieut. Robert Campbell, 79th N. Y. S. M.

" Samuel Irwin, 2d N. Y. S. M.

" Assistant Sergeant William B. Fletcher, 6th Indiana.

RICHMOND, Nov. 5th, 1861.

The loss of Mr. Huson was unfeignedly mourned by all of the prisoners, for as a community in misfortune they had fitly appreciated the companionship of one whose high personal worth commended him to the sincere affection of every member.

"Eternal spirit of the chainless mind,
Brightest in prison, LIBERTY, thou art!
For there thy habitation is the heart—
The heart, which love of thee alone can bind;
And when thy sons to prisons are consigned,
* * * * *
Their country conquers with their martyrdom,
And Freedom's fame finds wings on every wind!"

CHAPTER X.

No menagerie was ever regarded with more general interest and curiosity in a country village, than were the Union prisoners in the tobacco warehouses of Richmond. They were the standard attraction of people of both sexes, all ages, and every variety of shade. On Sundays, more especially, the citizens turned out in squads, and from morning till night, the street was blockaded with eager spectators. The windows of our prison were low, and though grated, a fair glimpse could be obtained of the inmates without tip-toe exertion.

The prevailing expression of the crowd was one of intense satisfaction, but there was an occasional glance of sympathy from some of their number that secretly spoke volumes in our behalf.

Some of the Union officers would insist upon "stirring up the animals," that we might "make sport for the Philistines." Mr. Ely was designated as the "elephant," but as he had *lost his trunk at Bull Run*, he had no disposition to appear on exhibition before the deriding savages, notwithstanding frequent bids among the chiv-

alric gentry: "Where's the Little Man with the Big Head? I reckon I'd like to see him, and I'll give you ten dollars if you'll show him up!" The prison exchequer was low, but Mr. Ely entertained too mild an appreciation of Confederate currency to yield to the temptations which beset him.

One of the Union officers who had a taste for penciling, favored us with an illustration of the scene attending Mr. Ely's capture, as described by himself. The unfortunate M. C. appeared in the foreground, surrounded by numerous "masked batteries," which were belching all manner of leaden and fiery missiles, and to his evident discomfiture and alarm. In the background of the picture appeared the form of a "solitary horseman," bristling with wrath and bowies, and holding in one hand a monstrous revolver. He was in the act of demanding from the Congressman a surrender of his freedom or his life, and as discretion is the better part of valor, Mr. Ely diligently complied.

Mr. Ely received many visitors of distinction, including the redoubted Wigfall, Porcher Miles, Marshall and Breckinridge of Kentucky, Bishop Doane of South Carolina, and the celebrated Paul Morphy of New Orleans. The visit of the chess champion of the world might have been susceptible of an ironical interpretation, in view of our splendid opportunities at the prison window cross-bars. Mr. Breckinridge, I believe, expressed much sympathy for Mr. Ely, and engaged to use his best influence for his release:

About the time Mason and Slidell were captured, Mr. Ely became quite uneasy. It was understood a member of the Federal Congress proposed to confine these distinguished conspirators in dungeons, as hostages for Colonel Corcoran and others, and Mr. Ely naturally feared that in case this was done he would himself be compelled to accept of a similar compliment to his personal distinction. He accordingly dispatched Confederate Commissary Warner to "President" Davis, with a request to ascertain what he (Mr. Davis) thought his (Mr. Ely's) "chances" were. The Commissary fulfilled his mission, and returned with his tidings. He was met by Mr. Ely with a spring of joyful anticipation.

"Well," said the messenger, "I called upon the President as you requested and asked him what he thought your chances were."

"Yes—yes!" exclaimed the M. C., impatiently, "and what did Mr. Davis reply?"

"Why—why—his reply was, 'Well, Mr. Commissary, do you mean in this world or the next?'"

Mr. Ely winced slightly under a retort so uncourteous and so unexpected, but soon recovered his equanimity under the reflection, probably, that he might one day reciprocate the bogus President's politeness, either "in this world or the next"—provided,

of course, that *Jeff.* should in due season arrive at the stool of *repentance*.

A pleasant episode one day occurred pending an interesting discussion among the prisoners on the subject of exchange. Mr. Ely was citing some unquestioned authority in relation to "what constitutes a belligerent?" when he suddenly espied among his outside listeners the dilapidated visage of a depreciated darkey, peering in at the windows. The speaker instantly dismissed the case in hand, and proceeded to "knock down" the chattel to the highest bidder. The purchaser, I believe, was Lieutenant Hart, at the round sum of \$1,400. I seriously doubt whether the negro would have brought fourteen cents upon any block outside of the prison jurisdiction, a fitting commentary upon the financial ability and tact of a Northern member of Congress, who had been exposed but a few weeks to the slavery and secession virus.

There were many Southerners who cherished a vindictive hatred of the Federal Congressman and would, had they possessed the power, have sacrificed his life as unhesitatingly as they secured his person. In illustration of this fact I may state that on one occasion he very narrowly escaped the penalty at which I have hinted, and which would have settled the question of "exchange," so far as he was personally concerned, beyond controversy.

The circumstances of the affair may be briefly stated. Dr. Higginbotham had called upon Mr. Ely with the request that he would visit a wounded prisoner in the adjacent hospital. The patient had expressed a wish to see him, and Mr. Ely accordingly complied. As they left the officers' quarters, and were proceeding quietly in the direction of the hospital, they were observed by a Southerner of the class to which I have referred. As he recognized the Congressman, he exclaimed, "There goes that ——— abolitionist, Ely! I'll kill him, by ———!" and drawing a revolver he started on a rapid walk in pursuit. Fortunately for Mr. Ely, however, the threat of the fire-eater had been overheard by Capt. Gibbs, the rebel officer of the post, and he sprang after and overtook the would-be assassin before he had reached the other party. He immediately placed him under arrest, and led him away. Mr. Ely was happily unconscious of the peril in which he had been placed, and did not learn of it until three days afterward.

I have previously remarked that escapes from the prison were frequent, but the fugitives were almost invariably captured and brought back and subsequently sent further south.

In view, therefore, of the uncertainties attending this proceeding, many hesitated to attempt it, but in one instance a plan of escape was devised, which had it been carried out, I think would have resulted successfully. Mr. Ely had offered to pay the sum

of \$5,000 to any one who would "put him through" in safety, and this proposition had been accepted by Dr. Griswold. The latter enjoyed a standing parol, and was not long in searching out the right man for the undertaking. The person thus selected was an experienced engineer, who had been for many years employed on the James River and knew its every crook and inlet, and every forest upon its banks. It was determined to adopt this route, and it was thought that the voyage could be so timed that the party would travel only during the night and by day could find safe refuge in the forests. A suitable boat was accordingly procured, ample provisions were laid in store, the oars were muffled and all things were in readiness for the expedition, which was to start on the night following the completion of these arrangements. The party was to consist of four, but on the day preceding the night on which they were to leave the prison, Dr. Griswold was arrested and sent to New Orleans, where he soon after died, and the project was abandoned.

CHAPTER XI.

Many requests have been made to me that I should give some description of the *personnel*, discipline and general character of the rebel forces, so far as they came under my observation. My opportunities for such inspection were exceedingly limited, but I found occasion for the following impressions.

Regiments of Confederate soldiers frequently marched by the prison, destined for the field, and others were encamped about the city. The flower of the Southern army appeared to be in their cavalry forces, who were generally fine looking men, well mounted, graceful and spirited riders, and exceedingly well equipped. I was informed that they were chiefly representatives of the more wealthy families of the South. They were severally armed with carbine, revolvers, bowie-knife and saber.

The infantry, as a class, appeared to be less refined—in short, ignorant, unmannerly and brutal. Their prevailing physical characteristics indicated superior stature, sallowness of complexion, wiriness of frame, and a striking tendency to stoop-shoulders. They were poorly clad, and seemed to have an astonishing disregard of personal cleanliness. I seldom noticed any two members of a single company who were dressed alike. This was often a subject of remark among the Union prisoners, some of whom facetiously offered a standing premium for a discovery to the contrary. We had frequent opportunities of measuring their proficiency in drill and general tactics as compared with that of our own soldiers. Few seemed to understand their company

positions; the manœuvering was generally awkward in the extreme, and they marched with a slouching swagger which afforded lively recollections of a "general training" in the rural districts of New York.

Their habits indicated excessive indolence, and a love of tobacco and whisky that was all absorbing. Their arms in general consisted of the old U. S. flint lock musket, ("Floyd pattern,") and double-barreled shot-guns. In fact, all sorts of blunderbusses seemed to have been called into requisition.

While thus presenting facts derived from my own observation, I do not by any means assume that they are characteristic of the entire Southern army, but I think most of my comrades will bear me out in the assertion that some of the "military parades" which we witnessed in the rebel capital, quite partook of the nature of a *raree show*, the component parts of which were burlesque "Fusileers" and fantastic "Bologna Guards."

The demeanor of the rebel soldiers towards the prisoners, as they marched by our quarters, was often insulting in the extreme. We were frequently attracted to the windows by such shouts as "Good bye, Yankees; we'll soon send you more company!" etc. There were occasional retorts from the prisoners, and some observations respecting the possibility of their own (the rebels') defeat and capture, and these remarks, in turn, never failed to elicit from the enemy an eruption of slang, and specimen oaths. Indeed, the habit of profane swearing seemed positively indigenous to the "sacred soil," and was an intellectual pastime to which few of the natives were not addicted beyond the hope of reclamation. The unexpected sight of a live Yankee, was often provocative of the most wicked blasphemy imaginable.

Sickness prevailed in the Southern army to an alarming extent, and I was credibly informed that almost every unoccupied building in Richmond had been converted into a hospital, and filled with invalid soldiers from Manassas.

To such a strait was the "Confederacy" reduced for prison accommodations for even their own men, (held to answer charges of insubordination, etc.,) that they were frequently confined in the Union officers' quarters. Col. Adler of the "Wise Legion" was there for a time, an inmate of Prison No. 1. He had been arrested upon a charge of refusing to execute an order for retreat from the erratic and "invincible" Wise, and had been sentenced by the irascible General to be shot. The Colonel attempted to avoid the disgraceful penalty by cutting his own throat with his sword. The wound did not prove fatal, and he was conveyed to Prison No. 1. His case excited the sympathy of the Union offi-

cers, who felt that he was a better officer and a better man than Wise, and was indeed

“The noblest Roman of them all;”

and accordingly the officers treated him with much courtesy and consideration. But these fraternal manifestations were exceedingly ill-timed. The intimacy being observed by the Confederate authorities, Col. Adler was removed to the Richmond jail, probably on account of a suspicion that he might divulge something of importance to the “enemy.” The Union officers were thus deprived of a clever associate, and one who eventually might have become a hopeful convert.

Among the “alien enemies” who were sent to the officers’ quarters was an elderly Quaker, familiarly known as Father Pancost. He was a Virginian, and one of the few residing in the infected districts, who had had the hardihood to freely express his loyal sentiments in the midst of almost universal defection. The charge upon which he was arrested was of rather a novel character. He was the owner of a pet pigeon, which upon one occasion he was detected in conveying from his barn to his house. The “Confederate” inference was that it was no other than a *carrier pigeon*, which was regularly employed in transmitting treasonable messages to Washington! Hence the arrest and incarceration of Mr. Pancost. What became of his pigeon I am unable to state.

Father Pancost was a good natured, amiable gentleman, whose “thees” and “thous” imparted a pleasant charm to his conversation and rendered him at all times an agreeable companion. Among his many sterling virtues he possessed but a single weakness, but it was a weakness in which there was strength, and under the circumstances, quite excusable. Approaching me one day, shortly after his arrival, he inquired—“Friend, does thee know whether I can obtain any whisky from the keepers of this prison?”

I informed him that if he was ill, and could procure a whisky-prescription from one of the surgeons, it was not unlikely that he could obtain the liquor.

“But does thee think, friend, that I can obtain two quarts of whisky?”

I considered it rather doubtful, on the strength of a single prescription, but suggested that if he was frequently sick and could obtain as frequent prescriptions, he might in due course of time procure *quantum suff.*

This ended our conversation. The day following I discovered Father Pancost standing at the head of his cot—or in the place where his cot ought to be, for in truth he had none—and elevating to his lips a quart bottle. After an apparently generous

potation he replaced it in his satchel, which hung against the wall, and walked away. It is perhaps due to myself to say that this proceeding was observed by other prisoners, and as soon as the old gentleman had gone to another part of the room some person or persons to Father Pancost unknown, slyly abstracted the bottle, clandestinely extracted its contents, refilled it with water, and returned it to its original place.

In the course of his promenade, Father Pancost encountered Mr. Ely, and after a brief interchange of sentiment, informed him of his acquisition, and invited the M. C. to test its qualities—an invitation which the latter did not consider it expedient to decline. The bottle was once more taken from the satchel, and Mr. Ely proceeded to uncork, the Quaker meantime expatiating upon the superior merit of the distillation. The luxury of glasses being quite unknown, the Congressman inverted the bottle in primitive style, and for some time held it to his lips, staring at his companion with an expression of mingled resentment and surprise, as being puzzled to determine whether he was the victim of an accident or a “sell.” The scene was decidedly comic, and Mr. Ely was brought to a realizing sense of his predicament by the smothered cachinnations of the lookers-on. Recovering his self-possession, and smacking his lips with apparent relish, he politely resigned the bottle and expeditiously retired.

Father Pancost was not insensible to the singularity of this behavior, but it was fully explained as soon as he made a requisition upon his own account. Glancing around the room and assuring himself that he was unobserved, he gravely (not to say *soberly*) replaced the bottle in his satchel, and rejoined his associates with an expression of perfect unconcern.

The sequel to this amusing occurrence was reserved for the evening. The fellow lodger of Father Pancost, or rather the prisoner who slept nearest him, was Lieut. Hooper, of Philadelphia, a gentleman who had maintained the character of being an uncompromising *Teetotaller*. He had scarcely retired for the night when he was confronted by the stern and reproachful visage of the defrauded Quaker, who with perfect deliberation and in the severest accents delivered himself of the following homily.

“Friend, if thee took my bottle from my satchel and then drank my whisky, thee didst very bad; but if thee drank the whisky and then filled the bottle with water, thee didst very ———d—d—decidedly bad!”

And Father Pancost turned away without waiting for any response.

“D—— him!” said Hooper, the next morning, “he *knows* that I never drink!”

A less pleasant and acceptable companion than either Colonel Adler or Father Gleason was forced upon us by the Confederates in the person of Lieutenant Charles Van Gilson, a deserter from the Sickles Brigade. He had voluntarily entered the lines of the rebel army, and given himself up with the declaration that he would no longer fight for the Yankees, and had come over to tender his services to the Confederate Government. The military authorities distrusted these assertions, and suspecting that he was a spy, sent him to Richmond for temporary confinement, and he was placed in the officers' quarters, in Prison No. 1. Supposing himself to be in the presence of Confederate officers, he repeated in substance his former declarations. The effect of this disclosure must have been anything but a pleasant surprise to the renegade. So highly exasperated were the officers, upon hearing his story, that he was immediately surrounded and seized—and a rope called for. I have no doubt whatever that if a rope could have been conveniently procured, the deserter would have as speedily met the fate he so richly merited. He however called loudly upon the guard, who entered and took him away. He was then sent to a prison occupied by private soldiers. By some chance they had been informed of the character of their uninvited guest, and scarcely five minutes had elapsed from the time of his entry, when he was assaulted by some of the prisoners, who bruised and kicked him, and were engaged in dragging him about the floor when he was again rescued by the guard. Of this fact I was assured by a Confederate officer. Van Gilson afterwards received a commission in the rebel army, and was sent to Kentucky. I read a notice of his promotion in the Richmond Dispatch.

CHAPTER XII.

The Richmond papers frequently boasted of accessions to their army from the Union prisoners. To what extent these declarations were true, I am unable to say, but the following list was prepared by a Union prisoner, who was for a time employed upon the prison records in Richmond:

William Clark, private, Company K, Third New Jersey Volunteers.

William Roach, private, Company D, Second Artillery, United States Army.

Michael Kelly, private, Company D, Second Artillery, United States Army.

Charles Tracy, Corporal, Company G, First Regiment, Sickles' Brigade.

Charles Van Gilson, Second Lieutenant, First Regiment, Sickles' Brigade.

W. Sherry, private, Company B, Twenty-sixth New York Volunteers.

L. Briggs, private, Company B, Twenty-sixth New York Volunteers.

J. A. Tompkins, Second United States Cavalry.

T. B. Remington, Thirtieth New York Volunteers.

Ernest Hale, (Commodore's Clerk,) United States steamer Pawnee. (This is the individual who decamped with the signal books, while Commodore Dupont's fleet rendezvoused at Hampton Roads.)

Wm. Hooper, private, Company K, Thirty-eighth New York Volunteers.

Barron Von Flaxhousen, Lieutenant, Company H, Forty-fifth New York Volunteers.

Robert McFarlans, Corporal, Company D, First United States Artillery.

A. F. Saulsbury, private, Fourth Regiment, Maine.

M. F. Sidlinger, Corporal, Company H, Fourth Regiment, Maine.

Francis Tapoy, private, Company D, First United States Artillery.

Mathias Spoo, musician, Fifth Wisconsin.

J. Tompkins, Lieutenant, Company A, Second Cavalry, United States Army.

Respecting the facilities for mail delivery to the prisoners, I feel constrained to record a fact which was highly creditable to the sympathetic feelings of the Union officers, and correspondingly to the discredit of the Confederate authorities. At one period, some three hundred letters, addressed to the Union prisoners, had accumulated at the post office, and were withheld from their owners nearly a fortnight. As soon as the Union officers were made aware of the fact, they inquired into the cause, and were informed that the post office authorities declined to deliver them until the postage was paid, and as they believed that but few of the privates had any pecuniary means, they had determined to withhold them. Upon this explanation, the Union officers directed that the letters should be delivered forthwith, and they would pay the postage, which amounted to some \$25. The Confederate authorities invariably exacted seven cents per letter on delivery at the prison, notwithstanding that the five cents Confederate postage had been *pre paid* by the writers in an enclosure to Gen. Wool.

While upon this subject I may state that the receipt of letters addressed to prisoners who had died from the effects of their

wounds, or from disease, was no uncommon occurrence. Such letters were usually delivered to the acquaintances or comrades of the deceased, and they in return notified their friends of the facts.

I remember upon one occasion having heard read a letter addressed by a wife to her husband, a Philadelphian and an officer. He was one of the prisoners taken at Ball's Bluff and she had heard of his capture but not of his subsequent decease. In this letter she congratulated him upon his safety, urging upon him to keep up his spirits, and encouraging him in the hope of speedy restoration to home and friends. Alas! the returning mail conveyed to her the terrible tidings of his death.

Upon the day of this occurrence the wife of Adjutant Harvey, of the lamented Colonel Baker's Regiment, arrived in Richmond from Philadelphia. She came to the officers' quarters with joyful anticipation, and inquired for her husband. He was not there. "Not there? Strange!" She called for Lieut. Hooper, whom she knew, and in a few moments he presented himself. They exchanged but a single glance, and her countenance fell—the worst was known! She had come there with a positive conviction that her husband was alive and well. He was known to have been unwounded in the battle, and was so reported by some who had made their escape. But here ended the mystery. The Adjutant had plunged into the Potomac and was endeavoring to swim across, when he was pierced by a rebel bullet, and with scores of others, his lifeless body was carried away by the stream. Lieut. Hooper had been an eye-witness to the occurrence. No words can depict the anguish which this reluctant story drew from the broken-hearted wife. Yet she was but one among *scores* to whom the intelligence of the death of a beloved husband, a son, or a brother, was imparted, under circumstances perhaps as acutely distressing and insupportable.

Being deprived of frequent and regular communication with friends in the Northern States, we were compelled to rely upon the Richmond press for all political intelligence. Papers were usually brought to the prison every morning, and were purchased by the officers of the guard and handed to the prisoners at a cost of five cents per copy. Sometimes the papers, like the rations, were stinted or cut off, for misbehavior. The Richmond Dispatch was most in request on account of its peculiar bitter and vindictive course towards the prisoners and the "Yankee Government." It thus at times afforded us considerable amusement. It was a somewhat remarkable circumstance that the rebel newspaper reports of every engagement, gave evidence that the brilliant and successful fighting was all on their own side. The Yankees invariably "ran in Bull Run style," and the stereotyped commentary was in effect that running was the only thing at which "Yankees could not be beat."

It was surprising to us to learn what frightful sacrifices of life were incurred by the Federals, and how astonishingly small was the mortuary record of the Confederates. It was seldom that anybody was "hurt" on the rebel side. We did hear of an unusually severe loss having occurred to a small body of troops in Western Virginia, under Floyd, who were attacked by a largely superior force of Yankees, numbering at least ten to one. Two or three of the rebels were actually killed, and some five or six others slightly wounded. But the Yankees were terribly cut up, and retreated with heavy loss. Although victorious, (continued the report,) Floyd had deemed it a "military necessity" to fall back; but the fact that he neglected to take some of his military stores, tents, etc., was not till sometime afterwards divulged, and it is not improbable that a large proportion of the Confederate army are still in blissful ignorance of that circumstance.

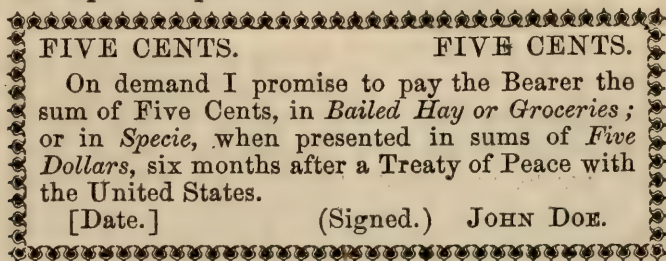
I remember once reading in the Dispatch, a report of a "slight skirmish" at Drainsville. The Confederates, as usual, were attacked by overwhelming numbers, but nobly stood their ground, and caused an incalculable number of Yankees to "bite the dust." Then, as usual, the Confederates "fell back to a better position," to await another attack. It is needless to say that such transparent falsehoods could not impose upon the "Yankee" prisoners, but they were devoured with avidity and full credulity by the rebel soldiers; or at least, by such of them as could read.

The latter remark is in no sense ironical. Our guards were often composed of men who could *not* read, and of men who confessed to me that a large proportion of the Confederate soldiers were afflicted with the same intellectual infirmity. There was, therefore, no striking absurdity in the publication of such reports, which, however greatly exaggerated at first hands, evidently lost nothing by repetition among the pitifully ignorant and vulgar.

CHAPTER XIII.

The Confederate Shinplaster Currency had its origin in the necessity to which the business community was reduced for "making change." Union men and speculators had bought up all of the Federal coin, and it became indispensable that something of a representative value, in denominations suited to small business transactions, should be issued as a substitute. The rebel Congress was thus constrained to offer a shinplaster system, and the way was virtually opened to individuals as well as corporations. As a consequence, Richmond was soon flooded with a coarsely executed and worthless scrip, in denominations varying from five cents to one dollar. The formula of these shinplasters, as nearly

as I can recollect, was about as follows. I should, perhaps, apologise for not having preserved so notable a curiosity, but the fact was that my private exchequer was so astonishingly low at the time of my departure from Richmond that, even were I so disposed, I could not have negotiated the most "vulgar fraction." Here is a sample shinplaster :



This description of article was in unlimited supply, and when not positively known to be worthless, answered the desired purpose, in relieving the specie "rampage."

The officers, mostly, were in occasional receipt of remittances from the North, in gold, but in making their purchases, were required to accept of the inevitable shinplaster in change.

I may appropriately state in this connection, that among the prisoners was a member of the Brooklyn 14th, and who was formerly employed by the Union Bank Note Engraving Company. He was a superior engraver, and received frequent personal applications from Richmond bankers to furnish bank note engravings, or plates. One individual offered him fifteen dollars per day for four days' time, the period requisite for accomplishing the work proposed, and also to secure his release at the expiration of that time.

The engraver, however, declined the offer, and shortly afterwards made his escape from the prison. I did not learn whether he was recaptured.

Many offers of a similar character were made by manufacturers in Richmond to various mechanics in the prison, viz: shoemakers, carpenters, moulders. The most tempting prices were offered, including good board, clothes, etc., together with a promise to send them North in a few weeks—but these applications, so far as I am informed, were invariably unsuccessful. Notwithstanding the privations to which they had been subjected, and the apparent indifference of the Federal Government, and the painful uncertainty which hung over the future, the prisoners were unwilling to purchase any personal advantage at the sacrifice of their loyalty and honor.

The Presidential election in the "Confederacy" took place on the 7th of November. It was a day of remarkable quiet. No

popular demonstrations occurred—there were neither speeches nor hurrahs during the day, nor bonfires nor pyrotechnics at night. Mr. Davis was duly elected, and retained his place as Chief Magistrate of the “young and vigorous Confederacy.”

On the 10th of November Gen. Winder entered the prison, called the commissioned officers together, and read the following order, as addressed to himself:

C. S. A. WAR DEPARTMENT, }
RICHMOND, Nov., 1861. }

SIR:—You are hereby instructed to choose by lot, from among the prisoners of war of highest rank, one who is to be confined in a cell appropriated to convicted felons, and who is to be treated in all respects as if such convict, and to be held for execution in the same manner as may be adopted by the enemy, for the execution of the prisoner of war Smith, recently condemned to death in Philadelphia.

You will also select thirteen other prisoners of war, the highest in rank of those captured by our forces, to be confined in cells reserved for prisoners accused of infamous crimes, and shall treat them as such so long as the enemy shall continue to treat the like number of prisoners of war captured by them in New York, as pirates. As these measures are intended to repress the infamous attempt now made by the enemy to commit judicial murder on the prisoners of war, you will execute them strictly, as the best mode calculated to prevent the commission of so heinous a crime. Your obedient servant,

J. P. BENJAMIN, Acting Sec'y of War.

To Brig. General John Winder, Richmond, Va.

The reading of this order was listened to in silence, but with deep sensation. At its conclusion, Gen. Winder remarked that he regretted very much the unpleasant duty devolving upon him, but had no option in the matter. The names of six Colonels were placed in a can, and Mr. Ely was required (much to his own reluctance) to draw from them. The first name drawn was that of Colonel Corcoran, 69th Regiment N. Y. S. M., who was the hostage chosen to answer for Smith. Mr. Ely was very much affected when the name of his friend and messmate was drawn by his own hand.

In choosing thirteen, from the highest rank, to be held to answer for a like number of prisoners of war captured by the enemy at sea, there being only ten field officers, it was necessary to draw by lot three Captains.

During the drawing, the most profound silence prevailed, and great anxiety was exhibited on the part of the officers whose names were in the can. When completed, the list stood, Colonels Corcoran, Lee, Cogswell, Wilcox, Woodruff and Wood; Lieut. Colonels Mowman and Neff; Majors Petter, Revere and Vodges; Captains Rockwood, Bowman and Kaffer.

These unfortunate men had greatly endeared themselves to their fellow prisoners, and the deepest sympathy was expressed for

them. Col. Corcoran had previously been removed. His relations with Mr. Ely had been of the most intimate character, and the latter most keenly regretted his own involuntary share in the proceeding. It was a day of unusual gloom to those who were left behind, but there was a confident expression that the Federal Government would immediately take measures for the relief of those held as hostages.

I find upon reference to my diary that the 15th of November was observed as a day of fasting and prayer in the "Confederacy." There were religious services in all of the Richmond churches, but I doubt whether it was considered expedient to require any unusual "fast" among the soldiers. In respect of "*preying*," it had also been practiced to an undue extent upon the resources of all who were identified with the cause of the Union.

On the 21st of November, twenty officers and one hundred and twenty-five privates were sent to Tuscaloosa; and on the 26th three hundred and fifty additional privates, including George Rosenberg and Henry Blackman of Rochester, were despatched to the same place. These deductions left only about twenty-five prisoners upon the upper floors of Prison No. 1.

Christmas was commemorated in the officers' quarters by a substantial banquet, at their own expense, and the best that could be procured. The guard upon that occasion got rather mellow from frequent and excessive libations, and in the evening he was readily induced to go out after liquor, and permit one of the officers to stand guard in his place. Some of the prisoners improved this opportunity to leave the prison and stroll about the city, and the day following they were placed in irons as a penalty. I had improved the occasion during the day, to slip by the guard, but after walking a short time about the streets, perceived myself watched by Commissary Warner and thought proper to return without due loss of time.

On the 20th of December, Mr. Faulkner called upon Mr. Ely, and soon after Gen. Winder entered with an order for Mr. Ely's release. During his conversation with the officers, Mr. Faulkner expressed his mortification at the general ill-treatment of the Union prisoners, and promised to exert himself in procuring a change for the better. He confessed that the rebel prisoners at Fort Lafayette and elsewhere had nothing to complain of in respect of fare or clothing. Mr. Ely was naturally overjoyed at his release, but remained in Richmond till the night of the 24th. He frequently visited the prison during the interval, and on the 24th made an affecting farewell speech to his old companions, in which he engaged to use his utmost efforts on reaching Washington to secure their release. I believe that he has faithfully and

diligently labored to that end since he returned to Washington, and bids fair to accomplish the desired result.

About the 1st of January, the officer who called the roll selected a number of names, for the purpose, as we apprehended, of being sent South. It soon transpired, however, that the prisoners whose names were thus selected were of two hundred and forty who were to be exchanged. My own name had been omitted from the list, but Lieuts. Parke and Booth kindly interested themselves in my behalf, and greatly to my satisfaction the "mistake" was rectified in time. Subsequently Lieut. Booth offered me the sum of \$300 if I would permit him to answer to my name, and clandestinely go in my place. Lieut. Hancock said to me that he had been eight months in the Federal service, and had drawn no portion of his salary, and that if I would consent to his substitution, in the manner before suggested, he would assign to me his entire claim upon the Federal Government. It is needless to say that I declined these generous offers, and I seriously doubt whether any prisoner, officer or private, would have resigned his chances for an immediate release, for the most tempting recompense imaginable.

At 5½ o'clock A. M. on the 3d of January the released prisoners marched to the river landing, and embarked on the rebel steamboat Northampton, and proceeded down the James River. At 4 P. M. we met the steamer George Washington, near Newport News, and amid the most enthusiastic shouts, cheers, and other demonstrations of rejoicing, were transferred to her decks, where for the first time since the memorable 21st of July we found ourselves beneath the folds of the STARS AND STRIPES.

CHAPTER XIV.

[With the concluding chapter of this narrative it was thought proper to insert a few letters written subsequent to the release of prisoners, which occurred on the 3d of January, together with an account of the arrival of prisoners belonging in Rochester. The articles are severally taken from the Evening Express.—ED.]

ARRIVAL IN BALTIMORE.

BALTIMORE, January 4th, 1862.

DEAR EXPRESS:—I hasten to inform you that I am *free*. I assure you that to-day is a happy one, not only to myself, but to some two hundred and fifty other unfortunates. You may imagine our joy when we received our release and were informed that we would be sent North immediately. Nearly six long, weary months have we spent in prison, subjected to many insults from the miserable tyrants who had charge of us. No pen can describe the miserable life we have spent in that rebel city of Richmond.

Thank God, we are at last here; but there are hundreds of our noble suffering comrades still incarcerated within gloomy Southern walls. I shall remain in Washington for a few days to plead for them. God grant that these poor fellows may soon be restored to the land of the *free*.

We left Richmond Tuesday morning at six o'clock in the rebel steamer Northampton. At 4 o'clock P. M. the Federal steamer George Washington met us, and received us with cheers and stirring strains of music. It is impossible to describe the scene of joy manifested at that time. As soon as *our* boat came in sight the Yankee Band struck up "Home, sweet home." When this dear old tune reached our ears, and our eyes rested upon the good old flag, which we had not seen for more than five months, we could not restrain our feelings; some danced, others sang, and such a scene of delight I never before witnessed. Many tears of joy were shed when we looked up to that noble old flag. For my own part, I felt like kissing it! We were kindly and cordially received by our own officers, and were soon on our way to Fortress Monroe, which place we reached at six o'clock the same evening. We were received with great rejoicing at every place we stopped, and were received by the citizens with unlimited hospitality. We were escorted to a large building which the fair ladies of Baltimore had elevated, and where we were furnished with a sumptuous repast. It is hardly necessary to say that we did ample justice to the collation, after five months of fasting. We expect to leave for Washington this afternoon. A large crowd of visitors have been in and about the building all day, and the boys have had a happy time since they arrived on Northern soil. The Union sentiment is very strong in this city, in fact the good people of Baltimore are all alive with enthusiasm, and ready for the worst. It will be some weeks yet before any of the released prisoners are fit for duty. All are enervated by long confinement and feel the cold very severely.

More anon.

W. H. M.

BALTIMORE, January 7th, 1862.

DEAR EXPRESS:—We are still detained in this city awaiting orders from Washington. The War Department has not yet decided what disposition to make of us. It is rumored that we are to be mustered out of service and turned over to the Governors of our respective States. I hope there is no foundation for this rumor, as such action would place us in other regiments, which would be very unpleasant to many, and is inexpedient.

I hope the Administration will continue to send prisoners forward, to be exchanged, until all of our poor, suffering volunteers are released. I am glad that there is so good a prospect of such a policy being carried out. There is a strong feeling in this city

on the subject. The Confederate authorities will not fail to reciprocate, as they are very anxious to get rid of Yankees, for they are a very expensive and troublesome burthen to them. The meat bill, alone, for the prisoners in Richmond amounts to over \$9,000 a month. I wish I could have sent you some of their editorials on this subject. They had all they could do to get men enough to guard us. I will give you some interesting items in this respect when I return.

It would be a good idea to get our poor fellows home, and form them into regiments by themselves, and give them the right of the line in the next great battle. If they would not make the rebels bite the dust, it would be because they could out-run them. The boys have *several* small accounts to settle with the Southern (bogus) Confederacy and *a few deaths to avenge*. It would have been better by far for our enemies to have sent us home as soon as we were able to leave the hospital. They were very kind to us *there* and we all felt like praising them for their attention. But this mode of treatment soon changed, and they went to the opposite extreme, and became as brutal as they had been kind. I was told by one of the officers that they did intend to heal our wounds, load us with obligations and then send us home to tell our Northern friends how noble and kind the Southerners were. But this policy was abandoned. No pen can describe the true condition of our brave soldiers confined in rebel prisons. Their sufferings have been, and are great. God be with them. I will give you a full account of our condition and treatment before many days. I am too happy, at present, to write. The idea of being free, and once more standing under the dear old flag, is enough to make us all rejoice, after having spent so many weary months in prison, and looking at the hybrid rag which they call their banner of freedom. I have a secesh flag with me, presented by the daughter of the rebel Major Lee. I feel a lasting, if not a tender regard for it, I assure you. I learn that the citizens of Philadelphia expect a visit from the prisoners and are making preparations to receive them. W. H. M.

THE RECEPTION BY SLOCUM'S BRIGADE.

CAMP FRANKLIN, Jan. 13, 1862.

FRIEND B.:—On Saturday last the prisoners arrived from Richmond. For a day or two previous all was bustle in camp, making preparations for their reception. The streets were festooned with evergreens, and wreaths containing the letter of each company in the center. A triumphal arch was erected on the extreme left of the street, between the officers' and companies' quarters. On the left of the arch, within a wreath, was the number of the Regiment, (27,) and in the center the following:

WELCOME, COMRADES!

YOUR WOUNDS BLEED AFRESH IN OUR HEARTS.

At three o'clock, Saturday afternoon, the whole Regiment turned out and, preceded by Scott's Band, and accompanied by General Slocum and staff, proceeded down the Alexandria Road about three-quarters of a mile, where they halted and formed in open order, facing inward. Gen. Slocum and staff, together with the Regimental officers, then advanced to receive the prisoners, and escort them through the ranks. The command of the prisoners was given to your Richmond correspondent, Corporal Merrell, and when they started, a scene of excitement ensued which baffles description. The cheering could be heard for miles. It did not end here, for it was taken up by the several Regiments encamped near us, and continued long after the arrival of our comrades in camp. Scott's Band played the "Bold Soger Boy," and the band of another Regiment struck up a piece entitled "Bully for You!"

The men look as though they had seen "hard times in Old Virginia," although some of them appear quite stout. But it is not healthy flesh. It is what physicians call "lazy bloat," induced by protracted confinement. Corporal Merrell looks well, but is very pale. His left arm is nearly powerless. I understand that he has been offered a commission, and that he will accept it. If such be the case, he will be heartily welcomed as an officer of the 27th. He has proved himself a brave soldier, and is possessed, I think, of qualifications which should entitle him to a command. But he is willing to undergo the same suffering again, "for the sake of" (as he expressed himself to me) "the good old flag."

Clague carries the ball he received in the left side. He says it does not trouble him any. He is undaunted by the fearful ordeal through which he has passed; so far from it, indeed, that he had some hesitancy about accepting the thirty days' furlough. He says it is his intention to rejoin the regiment as soon as his furlough expires.

Of the other prisoners I have not much knowledge. They were all highly gratified at the reception given them by their old companions-in-arms, who were equally rejoiced at the opportunity of once more beholding them alive and well. * * * *

DUNCAN B. BROWN.

RETURN OF RICHMOND PRISONERS—AN IMPROMTU
DEMONSTRATION.

Messrs. Merrell, Clague and Kavanaugh, late of Richmond, arrived in Rochester last evening, (January 17th.) A large crowd were in waiting at the Depot, on the arrival of the train from Elmira, and several fire companies were drawn up in line to

receive them. The appearance of the "prisoners," as they are still called, was greeted with resounding cheers, and after the enthusiasm of welcome had in some measure subsided, they were formally escorted to the residence of Corporal Merrell on New Main street—the procession greatly augmenting its number *en route*.

On reaching their destination the prisoners entered the house, where many friends were in waiting; but they were quickly brought out again by three rousing cheers from the crowd, on behalf of whom Mr. G. C. Pease delivered a brief and appropriate address of welcome to the soldiers, referring to the gallantry which had characterized their behavior at Bull Run, commending the heroic fortitude which they had manifested under protracted imprisonment at Richmond, and, finally, congratulating them upon their restoration to home and friends.

Corporal Merrell modestly acknowledged the compliment of a popular reception, disclaiming any personal merit, beyond that which should be accorded to every faithful soldier in the Union army, but testifying to the bravery of his comrades, and the Regiment to which they are attached, (the 27th.) He alluded feelingly to the sufferings they had experienced during their imprisonment, at the hands of their heartless and cruel captors, and hinted at the determination of the prisoners generally to rejoin the army, after a brief season of repose.

At the conclusion of his remarks three cheers were given, and then "three cheers and a tiger." The company then fell in line, and escorted private John T. Clague to his residence on Clinton street, where brief speeches were again exchanged, and the company returned to their engine house.

The effect of a long imprisonment is quite visible in the pale faces of the prisoners, and the enervation resulting from bodily inaction. Private Kavanagh will leave to-day for Detroit, where his parents reside.

The gallant John Clague, who was *obituarized* by his Sabbath School, and *resolved* under the "sacred soil" of Virginia with all due solemnity, exhibits the honorable scars of wounds from which he has not yet fully recovered, but is none the less anxious to resume his place in the ranks.

Kelly, Sturmer, Jewett, Cornell, each and every one of the brave fellows released from Southern bondage, are not only willing but fully determined, we are assured, to re-enter the Union army, not only to fight for the *Union*, but to avenge the wicked cruelties inflicted upon themselves and comrades.

Corporal Merrell has a thirty days' furlough which he accepted in lieu of a discharge tendered him at Washington. He has not fully recovered from the effect of his wound, being still unable to use his left arm with freedom.

WEBSTER'S REPLY TO HAYNE.

Delivered in the United States Senate, January 26, 1830.

FOLLOWING Mr. HAYNE in the debate, Mr. WEBSTER addressed the Senate as follows :

MR. PRESIDENT: When the mariner has been tossed, for many days, in thick weather, and on an unknown sea, he naturally avails himself of the first pause in the storm, the earliest glance of the sun, to take his latitude, and ascertain how far the elements have driven him from his true course. Let us imitate this prudence, and before we float farther, refer to the point from which we departed, that we may at least be able to conjecture where we now are. I ask for the reading of the resolution.

[The secretary read the resolution as follows :

“Resolved, That the committee on public lands be instructed to inquire and report the quantity of the public lands remaining unsold within each State and Territory, and whether it be expedient to limit, for a certain period, the sales of the public lands to such lands only as have heretofore been offered for sale, and are now subject to entry at the minimum price. And, also, whether the office of surveyor-general, and some of the land offices, may not be abolished without detriment to the public interest; or whether it be expedient to adopt measures to hasten the sales, and extend more rapidly the surveys of the public lands.”]

We have thus heard, Sir, what the resolution is, which is actually before us for consideration; and it will readily occur to every one that it is almost the only subject about which something has not been said in the speech, running through two days, by which the Senate has been now entertained by the gentleman from South Carolina. Every topic in the wide range of our public affairs, whether past or present—everything, general or local, whether belonging to national politics or party politics—seems to have attracted more or less of the honorable member's attention, save only the resolution before us. He has spoken of everything but the public lands. They have escaped his notice. To that subject,

in all his excursions, he has not paid even the cold respect of a passing glance.

When this debate, Sir, was to be resumed, on Thursday morning, it so happened that it would have been convenient for me to be elsewhere. The honorable member, however, did not incline to put off the discussion to another day. He had a shot, he said, to return, and he wished to discharge it. That shot, Sir, which it was kind thus to inform us was coming, that we might stand out of the way, or prepare ourselves to fall before it, and die with decency, has now been received. Under all advantages, and with expectation awakened by the tone which preceded it, it has been discharged, and has spent its force. It may become me to say no more of its effect than that, if nobody is found, after all, either killed or wounded by it, it is not the first time in the history of human affairs that the vigor and success of the war have not quite come up to the lofty and sounding phrase of the manifesto.

The gentleman, Sir, in declining to postpone the debate, told the Senate, with the emphasis of his hand upon his heart, that there was something rankling *here*, which he wished to relieve. [Mr. HAYNE rose, and disclaimed having used the word *rankling*.] It would not, Mr. President, be safe for the honorable member to appeal to those around him upon the question whether he did, in fact, make use of that word. But he may have been unconscious of it. At any rate, it is enough that he disclaims it. But still, with or without the use of that particular word, he had yet something *here*, he said, of which he wished to rid himself by an immediate reply. In this respect, Sir, I have a great advantage over the honorable gentleman. There is nothing *here*, Sir, which gives me the slightest uneasiness; neither fear, nor anger, nor that which is sometimes more troublesome than either, the consciousness of having been in the wrong. There is nothing either originating *here*, or now received *here*, by the gentleman's shot. Nothing original—for I had not the slightest feeling of disrespect or unkindness toward the honorable member. Some passages, it is true, had occurred, since our acquaintance in this body, which I could have wished might have been otherwise; but I had used philosophy, and forgotten them. When the honorable member rose, in his first speech, I paid him the respect of attentive listening; and when he sat down, though surprised, and I must say even astonished, at some of his opinions, nothing was further from my intention than to commence any personal warfare; and through the whole of the

few remarks I made in answer, I avoided, studiously and carefully, everything which I thought possible to be construed into disrespect. And, Sir, while there is thus nothing originating *here*, which I wished at any time, or now wish to discharge, I must repeat, also, that nothing has been received *here* which *rankles*, or in any way gives me annoyance. I will not accuse the honorable member of violating the rules of civilized war—I will not say that he poisoned his arrows. But whether his shafts were, or were not, dipped in that which would have caused rankling if they had reached, there was not, as it happened, quite strength enough in the bow to bring them to their mark. If he wishes now to find those shafts, he must look for them elsewhere; they will not be found fixed and quivering in the object at which they were aimed.

The honorable member complained that I had slept on his speech. I must have slept on it, or not slept at all. The moment the honorable member sat down, his friend from Missouri rose, and, with much honeyed commendation of the speech, suggested that the impressions which it had produced were too charming and delightful to be disturbed by other sentiments or other sounds, and proposed that the Senate should adjourn. Would it have been quite amiable in me, Sir, to interrupt this excellent good feeling? Must I not have been absolutely malicious, if I could have thrust myself forward to destroy sensations thus pleasing? Was it not much better and kinder, both to sleep upon them myself, and to allow others, also, the pleasure of sleeping upon them? But if it be meant, by sleeping upon his speech, that I took time to prepare a reply to it, it is quite a mistake; owing to other engagements, I could not employ even the interval between the adjournment of the Senate and its meeting the next morning, in attention to the subject of this debate. Nevertheless, Sir, the mere matter of fact is undoubtedly true—I did sleep on the gentleman's speech, and slept soundly. And I slept equally well on his speech of yesterday, to which I am now replying. It is quite possible that, in this respect, also, I possess some advantage over the honorable member, attributable, doubtless, to a cooler temperament on my part; for, in truth, I slept upon his speeches remarkably well. But the gentleman inquires why he was made the object of such a reply. Why was he singled out? If an attack had been made on the East, he, he assures us, did not begin it—it was the gentleman from Missouri. Sir, I answered the gentleman's speech, because I happened to hear it; and because, also, I choose to give an answer to that speech.

which, if unanswered, I thought most likely to produce injurious impressions. I did not stop to inquire who was the original drawer of the bill. I found a responsible indorser before me, and it was my purpose to hold him liable, and to bring him to his just responsibility without delay. But, Sir, this interrogatory of the honorable member was only introductory to another. He proceeded to ask me whether I had turned upon him in this debate from the consciousness that I should find an over-match if I ventured on a contest with his friend from Missouri. If, Sir, the honorable member, *ex gratia modestiæ*, had chosen thus to defer to his friend, and to pay him a compliment, without intentional disparagement to others, it would have been quite according to the friendly courtesies of debate, and not at all ungrateful to my own feelings. I am not one of those, Sir, who esteem any tribute of regard, whether light and occasional, or more serious and deliberate, which may be bestowed on others, as so much unjustly withholden from themselves. But the tone and manner of the gentleman's question forbid me thus to interpret it. I am not at liberty to consider it as nothing more than a civility to his friend. It had an air of taunt and disparagement, a little of the loftiness of asserted superiority, which does not allow me to pass it over without notice. It was put as a question for me to answer, and so put as if it were difficult for me to answer, whether I deemed the member from Missouri an over-match for myself in debate here. It seems to me, Sir, that is extraordinary language, and an extraordinary tone for the discussions of this body.

Matches and overmatches! Those terms are more applicable elsewhere than here, and fitter for other assemblies than this. Sir, the gentleman seems to forget where and what we are. This is a Senate; a Senate of equals; of men of individual honor and personal character, and of absolute independence. We know no masters; we acknowledge no dictators. This is a hall for mutual consultation and discussion, not an arena for the exhibition of champions. I offer myself, Sir, as a match for no man; I throw the challenge of debate at no man's feet. But, then, Sir, since the honorable member has put the question in a manner that calls for an answer, I will give him an answer; and I tell him that, holding myself to be the humblest of the members here, I yet know nothing in the arm of his friend from Missouri, either alone or when aided by the arm of his friend from South Carolina, that need deter even me from espousing what opinions I may choose to

espouse, from debating whenever I may choose to debate, or from speaking whatever I may see fit to say on the floor of the Senate. Sir, when uttered as matter of commendation or compliment, I should dissent from nothing which the honorable member might say of his friend. Still less do I put forth any pretensions of my own. But when put to me as matter of taunt, I throw it back, and say to the gentleman that he could possibly say nothing less likely than such a comparison to wound my pride of personal character. The anger of its tone rescued the remark from intentional irony, which otherwise, probably, would have been its general acceptance. But, Sir, if it be imagined that by this mutual quotation and commendation; if it be supposed that, by casting the characters of the drama, assigning to each his part—to one the attack, to another the cry of onset—or if it be thought that by a loud and empty vaunt of anticipated victory any laurels are to be won here; if it be imagined, especially, that any or all these things will shake any purpose of mine, I can tell the honorable member, once for all, that he is greatly mistaken, and that he is dealing with one of whose temper and character he has much to learn. Sir, I shall not allow myself on this occasion—I hope on no occasion—to be betrayed into any loss of temper; but if provoked, as I trust I never shall allow myself to be, into crimination and recrimination, the honorable member may, perhaps, find that in that contest there will be blows to take as well as blows to give; that others can state comparisons as significant, at least as his own; and that his impunity may, perhaps, demand of him whatever powers of taunt and sarcasm he may possess. I commend him to a prudent husbandry of his resources.

But, Sir, the coalition! The coalition! Aye, “the murdered coalition!” The gentleman asks if I were led or frightened into this debate by the specter of the coalition. “Was it the ghost of the murdered coalition,” he exclaims, “which haunted the member from Massachusetts, and which, like the ghost of Banquo, would never down?” “The murdered coalition!” Sir, this charge of a coalition, in reference to the late administration, is not original with the honorable member. It did not spring up in the Senate. Whether as a fact, as an argument, or as an embellishment, it is all borrowed. He adopts it, indeed, from a very low origin, and a still lower present condition. It is one of the thousand calumnies with which the press teemed during an excited political canvass. It was a charge of which there was not only no

proof or probability, but which was, in itself, wholly impossible to be true. No man of common information ever believed a syllable of it. Yet it was of that class of falsehoods which, by continued repetition through all the organs of detraction and abuse, are capable of misleading those who are already far misled, and of further fanning passion already kindling into flame. Doubtless it served its day, and, in a greater or less degree, the end designed by it. Having done that, it has sunk into the general mass of stale and loathed calumnies. It is the very cast-off slough of a polluted and shameless press. Incapable of further mischief, it lies in the sewer, lifeless and despised. It is not now, Sir, in the power of the honorable member to give it dignity or decency, by attempting to elevate it, and to introduce it into the Senate. He can not change it from what it is—an object of general disgust and scorn. On the contrary, the contact, if he choose to touch it, is more likely to drag him down, down, to the place where it lies itself.

But, Sir, the honorable member was not, for other reasons, entirely happy in his allusion to the story of Banquo's murder and Banquo's ghost. It was not, I think, the friends, but the enemies of the murdered Banquo, at whose bidding his spirit would not down. The honorable gentleman is fresh in his reading of the English classics, and can put me right if I am wrong; but according to my poor recollection, it was at those who had begun with caresses, and ended with foul and treacherous murder, that the gory locks were shaken. The ghost of Banquo, like that of Hamlet, was an honest ghost. It disturbed no innocent man. It knew where its appearance would strike terror, and who would cry out, A Ghost! It made itself visible in the right quarter, and compelled the guilty, and the conscience-smitten, and none others, to start, with

“Prithee, see there! behold!—look! lo!
If I stand here, I saw him!”

Their eyeballs were seared—was it not so, Sir?—who had thought to shield themselves by concealing their own hand, and laying the imputation of the crime on a low and hireling agency in wickedness; who had vainly attempted to stifle the workings of their own coward consciences, by circulating, through white lips and chattering teeth, “Thou canst not say I did it!” I have misread the great poet, if it was those who had no way partaken in the deed of the death, who either found that they were, *or feared that they should be*, pushed from their stools by the ghost of the slain,

or exclaimed to a specter created by their own fears and their own remorse, "Avaunt! and quit our sight!"

There is another particular, Sir, in which the honorable member's quick perception of resemblances might, I should think, have seen something in the story of Banquo, making it not altogether a subject of the most pleasant contemplation. Those who murdered Banquo, what did they win by it? Substantial good? Permanent power? Or disappointment, rather, and sore mortification—dust and ashes—the common fate of vaulting ambition overleaping itself? Did not even-handed justice, ere long, commend the poisoned chalice to their own lips? Did they not soon find that for another they had "fled their mind?"—that their ambition, though apparently for the moment successful, had but put a barren scepter in their grasp? Aye, Sir—

"A barren scepter in their gripe,
Thence to be wrenched by an unlineal hand,
No son of theirs succeeding."

Sir, I need pursue the allusion no farther. I leave the honorable gentleman to run it out at his leisure, and to derive from it all the gratification it is calculated to administer. If he finds himself pleased with the associations, and prepared to be quite satisfied, though the parallel should be entirely completed, I had almost said I am satisfied also—but that I shall think of. Yes, Sir, I will think of that.

In the course of my observations the other day, Mr. President, I paid a passing tribute of respect to a very worthy man, Mr. Dane, of Massachusetts. It so happened that he drew the ordinance of 1787 for the government of the Northwestern Territory. A man of so much ability, and so little pretense; of so great a capacity to do good, and so unmixed a disposition to do it for its own sake; a gentleman who had acted an important part, forty years ago, in a measure the influence of which is still deeply felt in the very matter which was the subject of debate, might, I thought, receive from me a commendatory recognition.

But the honorable member was inclined to be facetious on the subject. He was rather disposed to make it matter of ridicule that I had introduced into the debate the name of one Nathan Dane, of whom he assures us he had never before heard. Sir, if the honorable member had never before heard of Mr. Dane, I am sorry for it. It shows him less acquainted with the public men of

the country than I had supposed. Let me tell him, however, that a sneer from him at the mention of the name of Mr. Dane is in bad taste. It may well be a high mark of ambition, Sir, either with the honorable gentleman or myself, to accomplish as much to make our names known to advantage, and remembered with gratitude, as Mr. Dane has accomplished. But the truth is, Sir, I suspect that Mr. Dane lives a little too far North. He is of Massachusetts, and too near the north star to be reached by the honorable gentleman's telescope. If his sphere had happened to range south of Mason and Dixon's line, he might, probably, have come within the scope of his vision!

I spoke, Sir, of the ordinance of 1787, which prohibited slavery in all future times northwest of the Ohio, as a measure of great wisdom and foresight, and one which had been attended with highly beneficial and permanent consequences. I supposed that on this point no two gentlemen in the Senate could entertain different opinions. But the simple expression of this sentiment has led the gentleman, not only into a labored defense of slavery in the abstract, and on principle, but also into a warm accusation against me, as having attacked the system of domestic slavery now existing in the Southern States. For all this there was not the slightest foundation in anything said or intimated by me. I did not utter a single word which any ingenuity could torture into an attack on the slavery of the South. I said only that it was highly wise and useful in legislating for the northwestern country, while it was yet a wilderness, to prohibit the introduction of slaves; and added, that I presumed there was, in the neighboring State of Kentucky, no reflecting and intelligent gentleman who would doubt that, if the same prohibition had been extended, at the same early period, over that commonwealth, her strength and population would, at this day, have been far greater than they are. If these opinions be thought doubtful, they are, nevertheless, I trust, neither extraordinary nor disrespectful. They attack nobody and menace nobody. And yet, Sir, the gentleman's optics have discovered, even in the mere expression of this sentiment, what he calls the very spirit of the Missouri question! He represents me as making an onset on the whole South, and manifesting a spirit which would interfere with and disturb their domestic condition. Sir, this injustice no otherwise surprises me than as it is committed here, and committed without the slightest pretense of ground for it. I say it only surprises me as being done here; for I know full well that it is

and has been the settled policy of some persons in the South, for years, to represent the people of the North as disposed to interfere with them in their own exclusive and peculiar concerns. This is a delicate and sensitive point in Southern feeling; and of late years it has always been touched, and generally with effect, whenever the object has been to unite the whole South against Northern men or Northern measures. This feeling, always carefully kept alive, and maintained at too intense a heat to admit discrimination or reflection, is a lever of great power in our political machine. It moves vast bodies, and gives to them one and the same direction. But it is without any adequate cause, and the suspicion which exists wholly groundless. There is not, and never has been, a disposition in the North to interfere with these interests of the South. Such interference has never been supposed to be within the power of government, nor has it been in any way attempted. The slavery of the South has always been regarded as a matter of domestic policy, left with the States themselves, and with which the Federal Government had nothing to do. Certainly, Sir, I am, and ever have been, of that opinion. The gentleman, indeed, argues that slavery in the abstract is no evil. Most assuredly I need not say I differ with him altogether and most widely on that point. I regard domestic slavery as one of the greatest of evils, both moral and political. But, though it be a malady, and whether it be curable, and if so, by what means; or, on the other hand, whether it be the *vulnus immedicabile* of the social system, I leave it to those whose right and duty it is to inquire and to decide. And this I believe, Sir, is, and uniformly has been, the sentiment of the North. Let us look a little at the history of this matter.

When the present Constitution was submitted for the ratification of the people, there were those who imagined that the powers of the government which it proposed to establish might, perhaps, in some possible mode, be exerted in measures tending to the abolition of slavery. This suggestion would, of course, attract much attention in the Southern Conventions. In that of Virginia, Governor Randolph said :

“I hope there is none here, who, considering the subject in the calm light of philosophy, will make an objection dishonorable to Virginia—that, at the moment they are securing the rights of their citizens, an objection is started, that there is a spark of hope that those unfortunate men now held in bondage may, by the operation of the General Government, be made free.”

At the very first Congress, petitions on the subject were presented, if I mistake not, from different States. The Pennsylvania Society for Promoting the Abolition of Slavery took a lead, and laid before Congress a memorial, praying Congress to promote the abolition by such powers as it possessed. This memorial was referred, in the House of Representatives, to a select committee, consisting of Mr. Foster, of New Hampshire; Mr. Gerry, of Massachusetts; Mr. Huntington, of Connecticut; Mr. Lawrence, of New York; Mr. Sinnickson, of New Jersey; Mr. Hartley, of Pennsylvania, and Mr. Parker, of Virginia; all of them, Sir, as you will observe, Northern men, but the last. This committee made a report, which was committed to a committee of the whole house, and there considered and discussed on several days; and being amended, although in no material respect, it was made to express three distinct propositions on the subject of slavery and the slave trade. First, in the words of the Constitution, that Congress could not, prior to the year 1808, prohibit the migration or importation of such persons as any of the States then existing should think proper to admit. Second, that Congress had authority to restrain the citizens of the United States from carrying on the African slave trade for the purpose of supplying foreign countries. On this proposition, our early laws against those who engage in that traffic are founded. The third proposition, and that which bears on the present question, was expressed in the following terms:

“Resolved, That Congress have no authority to interfere in the emancipation of slaves, or in the treatment of them in any of the States; it remaining with the several States alone to provide rules and regulations therein, which humanity and true policy may require.”

This resolution received the sanction of the House of Representatives so early as March, 1790. And, now, Sir, the honorable member will allow me to remind him, that not only were the select committee who reported the resolution, with a single exception, all Northern men, but also that of the members then composing the House of Representatives, a large majority, I believe nearly two thirds, were Northern men also.

The house agreed to insert these resolutions in its journal; and, from that day to this, it has never maintained or contended that Congress had any authority to regulate or interfere with the condition of slaves in the several States. No Northern gentleman, to

my knowledge, has moved any such question in either house of Congress.

The fears of the South, whatever fears they might have entertained, were allayed and quieted by this early decision; and so remained, till they were excited afresh, without cause, but for collateral and indirect purposes. When it became necessary, or was thought so, by some political persons, to find an unvarying ground for the exclusion of Northern men from confidence and from lead in the affairs of the republic, then, and not till then, the cry was raised, and the feeling industriously excited, that the influence of Northern men in the public councils would endanger the relation of master and slave. For myself, I claim no other merit, than that this gross and enormous injustice toward the whole North has not wrought upon me to change my opinions or my political conduct. I hope I am above violating my principles, even under the smart of injury and false imputations. Unjust suspicions and undeserved reproach, whatever pain I may experience from them, will not induce me, I trust, nevertheless, to overstep the limits of constitutional duty, or to encroach on the rights of others. The domestic slavery of the South I leave where I find it—in the hands of their own governments. It is their affair, not mine. Nor do I complain of the peculiar effect which the magnitude of that population has had in the distribution of power under this Federal Government. We know, Sir, that the representation of the States in the other house is not equal. We know that great advantage, in that respect, is enjoyed by the slaveholding States; and we know, too, that the intended equivalent for that advantage—that is to say, the imposition of direct taxes in the same ratio—has become merely nominal; the habit of the government being almost invariably to collect its revenues from other sources and in other modes. Nevertheless, I do not complain; nor would I countenance any movement to alter this arrangement of representation. It is the original bargain, the compact—let it stand; let the advantage of it be fully enjoyed. The Union itself is too full of benefit to be hazarded in propositions for changing its original basis. I go for the Constitution as it is, and for the Union as it is. But I am resolved not to submit, in silence, to accusations, either against myself individually, or against the North, wholly unfounded and unjust—accusations which impute to us a disposition to evade the constitutional compact, and to extend the power of the government over the internal laws and domestic con-

dition of the States. All such accusations, wherever and whenever made, all insinuations of the existence of any such purposes, I know and feel to be groundless and injurious. And we must confide in Southern gentlemen themselves; we must trust to those whose integrity of heart and magnanimity of feeling will lead them to a desire to maintain and disseminate truth, and who possess the means of its diffusion with the Southern public; we must leave it to them to disabuse that public of its prejudices. But, in the mean time, for my own part, I shall continue to act justly, whether those toward whom justice is exercised receive it with candor or with contumely.

Having had occasion to recur to the ordinance of 1787, in order to defend myself against the inferences which the honorable member has chosen to draw from my former observations on that subject, I am not willing now entirely to take leave of it without another remark. It need hardly be said, that that paper expresses just sentiments on the great subject of civil and religious liberty. Such sentiments were common, and abound in all our State papers of that day. But this ordinance did that which was not so common, and which is not, even now, universal; that is, it set forth and declared, *as a high and binding duty of government itself*, to encourage schools and advance the means of education; on the plain reason that religion, morality, and knowledge are necessary to good government and to the happiness of mankind. One observation further. The important provision incorporated into the Constitution of the United States, and several of those of the States, and recently, as we have seen, adopted into the reformed constitution of Virginia, restraining legislative power, in questions of private right, and from impairing the obligation of contracts, is first introduced and established, as far as I am informed, as matter of express written constitutional law, in this ordinance of 1787. And I must add, also, in regard to the author of the ordinance, who has not had the happiness to attract the gentleman's notice heretofore, nor to avoid his sarcasm now, that he was chairman of that select committee of the old Congress, whose report first expressed the strong sense of that body, that the old confederation was not adequate to the exigencies of the country, and recommending to the States to send delegates to the convention which formed the present Constitution.

An attempt has been made to transfer from the North to the South the honor of this exclusion of slavery from the Northwestern

Territory. The journal, without argument or comment, refutes such attempt. The session of Virginia was made March, 1784. On the 19th of April following, a committee, consisting of Messrs. Jefferson, Chase, and Howell, reported a plan for a temporary government of the Territory, in which was this article: "That after the year 1800, there should be neither slavery nor involuntary servitude in any of the said States, otherwise than in punishment of crimes, whereof the party shall have been convicted." Mr. Speight, of North Carolina, moved to strike out this paragraph. The question was put, according to the form then practiced: "Shall these words stand as part of the plan?" etc. New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, and Pennsylvania—seven States—voted in the affirmative; Maryland, Virginia, and South Carolina in the negative. North Carolina was divided. As the consent of nine States was necessary, the words could not stand, and were struck out accordingly. Mr. Jefferson voted for the clause, but was overruled by his colleagues.

In March of the next year (1785) Mr. King, of Massachusetts, seconded by Mr. Ellery, of Rhode Island, proposed the formerly rejected article, with this addition: "*And that this regulation shall be an article of compact, and remain a fundamental principle of the Constitution between the thirteen original States and each of the States described in the resolve,*" etc. On this clause, which provided the adequate and thorough security, the eight Northern States, at that time, voted affirmatively, and the four Southern States negatively. The votes of nine States were not yet obtained, and thus the provision was again rejected by the Southern States. The perseverance of the North held out, and two years afterward the object was attained. It is no derogation from the credit, whatever that may be, of drawing the ordinance, that its principles had before been prepared and discussed in the form of resolutions. If one should reason in that way, what would become of the distinguished honor of the author of the Declaration of Independence? There is not a sentiment in that paper which had not been voted and resolved in the assemblies, and other popular bodies in the country, over and over again.

But the honorable member has now found out that this gentleman, Mr. Dane, was a member of the Hartford Convention. However uninformed the honorable member may be of characters and occurrences at the North, it would seem that he has at his elbows,

on this occasion, some high-minded and lofty spirit, some magnanimous and true-hearted monitor, possessing the means of local knowledge, and ready to supply the honorable member with everything, down even to forgotten and moth-eaten twopenny pamphlets, which may be used to the disadvantage of his own country. But as to the Hartford Convention, Sir, allow me to say that the proceedings of that body seem now to be less read and studied in New England than farther South. They appear to be looked to, not in New England, but elsewhere, for the purpose of seeing how far they may serve as a precedent. But they will not answer the purpose—they are quite too tame. The latitude in which they originated was too cold. Other conventions, of more recent existence, have gone a whole bar's length beyond it. The learned doctors of Colleton and Abbeville have pushed their commentaries on the Hartford collect so far that the original text writers are thrown entirely into the shade. I have nothing to do, Sir, with the Hartford Convention. Its journal, which the gentleman has quoted, I never read. So far as the honorable member may discover in its proceedings a spirit in any degree resembling that which was avowed and justified in those other conventions to which I have alluded, or so far as those proceedings can be shown to be disloyal to the Constitution, or tending to disunion, so far I shall be as ready as any one to bestow on them reprehension and censure.

Having dwelt long on this convention, and other occurrences of that day, in the hope, probably (which will not be gratified), that I should leave the course of this debate to follow him at length in those excursions, the honorable member returned, and attempted another object. He referred to a speech of mine in the other house, the same which I had occasion to allude to myself the other day; and has quoted a passage or two from it, with a bold though uneasy and laboring air of confidence, as if he had detected in me an inconsistency. Judging from the gentleman's manner, a stranger to the course of the debate, and to the point in discussion, would have imagined, from so triumphant a tone, that the honorable member was about to overwhelm me with a manifest contradiction. Any one who heard him, and who had not heard what I had, in fact, previously said, must have thought me routed and discomfited, as the gentleman had promised. Sir, a breath blows all this triumph away. There is not the slightest difference in the sentiments of my remarks on the two occasions. What I said

here on Wednesday is in exact accordance with the opinions expressed by me in the other house in 1825. Though the gentleman had the metaphysics of Hudibras—though he were able

“to sever and divide

A hair 'twixt north and northwest side,”

he could not yet insert his metaphysical scissors between the fair reading of my remarks in 1825 and what I said here last week. There is not only no contradiction, no difference, but, in truth, too exact a similarity, both in thought and language, to be entirely in just taste. I had myself quoted the same speech; had recurred to it, and spoke with it open before me; and much of what I said was little more than a repetition from it. In order to make finishing work with this alleged contradiction, permit me to recur to the origin of this debate, and review its course. This seems expedient, and may be done as well now as at any time.

Well, then, its history is this: the honorable member from Connecticut moved a resolution, which constituted the first branch of that which is now before us; that is to say, a resolution instructing the committee on public lands to inquire into the expediency of limiting, for a certain period, the sales of public lands to such as have heretofore been offered for sale; and whether sundry offices, connected with the sales of the lands, might not be abolished without detriment to the public service.

In the progress of the discussion which arose on this resolution, an honorable member from New Hampshire moved to amend the resolution, so as entirely to reverse its object; that is, to strike it all out, and insert a direction to the committee to inquire into the expediency of adopting measures to hasten the sales, and extend more rapidly the surveys of the lands.

The honorable member from Maine (Mr. Sprague) suggested that both these propositions might well enough go, for consideration, to the committee; and in this state of the question, the member from South Carolina addressed the Senate in his first speech. He rose, he said, to give us his own free thoughts on the public lands. I saw him rise, with pleasure, and listened with expectation, though before he concluded I was filled with surprise. Certainly, I was never more surprised than to find him following up, to the extent he did, the sentiments and opinions which the gentleman from Missouri had put forth, and which it is known he has long entertained.

I need not repeat, at large, the general topics of the honorable gentleman's speech. When he said, yesterday, that he did not attack the Eastern States, he certainly must have forgotten, not only particular remarks, but the whole drift and tenor of his speech; unless he means by not attacking, that he did not commence hostilities, but that another had preceded him in the attack. He, in the first place, disapproved of the whole course of the government for forty years, in regard to its disposition of the public land; and then, turning northward and eastward, and fancying he had found a cause for alleged narrowness and niggardliness in the "accursed policy" of the tariff, to which he represented the people of New England as wedded, he went on, for a full hour, with remarks, the whole scope of which was to exhibit the results of this policy, in feelings and in measures unfavorable to the West. I thought his opinions unfounded and erroneous, as to the general course of the government, and ventured to reply to them.

The gentleman had remarked on the analogy of other cases, and quoted the conduct of European governments toward their own subjects, settling on this continent, as in point, to show that we had been harsh and rigid in selling when we should have given the public lands to settlers without price. I thought the honorable member had suffered his judgment to be betrayed by a false analogy; that he was struck with an appearance of resemblance where there was no real similitude. I think so still. The first settlers of North America were enterprising spirits, engaged in private adventure, or fleeing from tyranny at home. When arrived here, they were forgotten by the mother country, or remembered only to be oppressed. Carried away again by the appearance of analogy, or struck with the eloquence of the passage, the honorable member yesterday observed that the conduct of government toward the Western emigrants, or my representation of it, brought to his mind a celebrated speech in the British Parliament. It was, Sir, the speech of Colonel Barre. On the question of the stamp act, or tea tax, I forget which, Colonel Barre had heard a member on the treasury bench argue, that the people of the United States, being British colonists, planted by the maternal care, nourished by the indulgence, and protected by the arms of England, would not grudge their mite to relieve the mother country from the heavy burden under which she groaned. The language of Colonel Barre, in reply to this, was: "They planted by your care? Your oppression planted them in America. They fled from your tyranny,

and grew by your neglect of them. So soon as you began to care for them, you showed your care by sending persons to spy out their liberties, misrepresent their character, prey upon them, and eat out their substance."

And how does the honorable gentleman mean to maintain that language like this is applicable to the conduct of the government of the United States toward the Western emigrants, or to any representation given by me of that conduct? Were the settlers in the West driven thither by our oppression? Have they flourished only by our neglect of them? Has the government done nothing but to prey upon them, and eat out their substance? Sir, this fervid eloquence of the British speaker, just when and where it was uttered, and fit to remain an exercise for the schools, is not a little out of place, when it is brought thence to be applied here, to the conduct of our own country toward her own citizens. From America to England it may be true; from Americans to their own government it would be strange language. Let us leave it to be recited and declaimed by our boys against a foreign nation; not introduce it here, to recite and declaim ourselves against our own.

But I come to the point of the alleged contradiction. In my remarks on Wednesday, I contended that we could not give away gratuitously all the public lands; that we held them in trust; that the government had solemnly pledged itself to dispose of them as a common fund for the common benefit, and to sell and settle them as its discretion should dictate. Now, Sir, what contradiction does the gentleman find to this sentiment in the speech of 1825? He quotes me as having then said, that we ought not to hug these lands as a very great treasure. Very well, Sir; supposing me to be accurately reported in that expression, what is the contradiction? I have not now said, that we should hug these lands as a favorite source of pecuniary income. No such thing. It is not my view. What I have said, and what I do say, is, that they are a common fund—to be disposed of for the common benefit—to be sold at low prices, for the accommodation of settlers, keeping the object of settling the lands as much in view as that of raising money from them. This I say now, and this I have always said. Is this hugging them as a favorite treasure? Is there no difference between hugging and hoarding this fund, on the one hand as a great treasure, and on the other of disposing of it at low prices, placing the proceeds in the general treasury of the Union? My opinion is, that as much is to be made of the

land, as fairly and reasonably may be, selling it all the while at such rates as to give the fullest effect to settlement. This is not giving it all away to the States, as the gentleman would propose; nor is it hugging the fund closely and tenaciously, as a favorite treasure; but it is, in my judgment, a just and wise policy, perfectly according with all the various duties which rest on government. So much for my contradiction. And what is it? Where is the ground of the gentleman's triumph? What inconsistency, in word or doctrine, has he been able to detect? Sir, if this be a sample of that discomfiture with which the honorable gentleman threatened me, commend me to the word *discomfiture* for the rest of my life.

But, after all, this is not the point of the debate; and I must now bring the gentleman back to what is the point.

The real question between me and him is, Has the doctrine been advanced, at the South or the East, that the population of the West should be retarded, or, at least, need not be hastened, on account of its effect to drain off the people from the Atlantic States? Is this doctrine, as has been alleged, of Eastern origin? That is the question. Has the gentleman found anything by which he can make good his accusation? I submit to the Senate, that he has entirely failed; and as far as this debate has shown, the only person who has advanced such sentiments is a gentleman from South Carolina, and a friend to the honorable member himself. This honorable gentleman has given no answer to this; there is none which can be given. The simple fact, while it requires no comment to enforce it, defies all argument to refute it. I could refer to the speeches of another Southern gentleman, in years before, of the same general character, and to the same effect, as that which has been quoted; but I will not consume the time of the Senate by the reading of them.

So, then, Sir, New England is guiltless of the policy of retarding Western population, and of all envy and jealousy of the growth of the new States. Whatever there may be of that policy in the country, no part of it is hers. If it has a local habitation, the honorable member has probably seen, by this time, where to look for it; and if it now has received a name, he has himself christened it.

We approach at length, Sir, to a more important part of the honorable gentleman's observations. Since it does not accord with my views of justice and policy to give away the public lands altogether, as mere matter of gratuity, I am asked, by the honorable

gentleman, on what ground it is that I consent to vote them away in particular instances. How, he inquires, do I reconcile with these professed sentiments my support of measures appropriating portions of the lands to particular roads, particular canals, particular rivers, and particular institutions of education in the West? This leads, Sir, to the real and wide difference in political opinion between the honorable gentleman and myself. On my part, I look upon all these objects as connected with the common good, fairly embraced in its object and its terms; he, on the contrary, deems them all, if good at all, only local good. This is our difference. The interrogatory which he proceeded to put at once explains this difference. "What interest," asks he, "has South Carolina in a canal in Ohio?" Sir, this very question is full of significance. It develops the gentleman's whole political system; and its answer expounds mine. Here we differ. I look upon a road over the Alleghanies, a canal round the falls of the Ohio, or a canal or railway from the Atlantic to the Western waters, as being an object large and extensive enough to be fairly said to be for the common benefit. The gentleman thinks otherwise, and this is the key to his construction of the powers of the government. He may well ask, What interest has South Carolina in a canal in Ohio? On his system, it is true, she has no interest. On that system, Ohio and Carolina are different governments and different countries, connected here, it is true, by some slight and ill-defined bond of union, but in all main respects separate and diverse. On that system, Carolina has no more interest in a canal in Ohio than in Mexico. The gentleman, therefore, only follows out his own principles; he does no more than arrive at the natural conclusions of his own doctrines; he only announces the true results of that creed which he has adopted himself, and would persuade others to adopt, when he thus declares that South Carolina has no interest in a public work in Ohio. Sir, we narrow-minded people of New England do not reason thus. Our notion of things is entirely different. We look upon the States, not as separated, but as united. We love to dwell on that Union, and on the mutual happiness which it has so much promoted, and the common renown which it has so greatly contributed to acquire. In our contemplation, Carolina and Ohio are parts of the same country—States united under the same general government, having interests common, associated, intermingled. In whatever is within the proper sphere of the constitutional power of this government, we look upon the States

as one. We do not impose geographical limits to our patriotic feeling or regard; we do not follow rivers and mountains and lines of latitude to find boundaries beyond which public improvements do not benefit us. We, who come here as agents and representatives of these narrow-minded and selfish men of New England, consider ourselves as bound to regard, with an equal eye, the good of the whole, in whatever is within our power of legislation. Sir, if a railroad or canal, beginning in South Carolina, and ending in South Carolina, appeared to me to be of national importance and national magnitude, believing, as I do, that the power of government extends to the encouragement of works of that description, if I were to stand up here and ask, What interest has Massachusetts in a railroad in South Carolina? I should not be willing to face my constituents. These same narrow-minded men would tell me that they had sent me to act for the whole country, and that one who possessed too little comprehension, either of intellect or feeling—one who was not large enough, both in mind and heart, to embrace the whole—was not fit to be intrusted with the interest of any part. Sir, I do not desire to enlarge the powers of the government by unjustifiable construction, nor to exercise any not within a fair interpretation. But when it is believed that a power does exist, then it is, in my judgment, to be exercised for the general benefit of the whole; so far as respects the exercise of such a power, the States are one. It was the very object of the Constitution to create unity of interests to the extent of the powers of the General Government. In war and peace we are one; in commerce one; because the authority of the General Government reaches to war and peace, and to the regulation of commerce. I have never seen any more difficulty in erecting lighthouses on the lakes than on the ocean; in improving the harbors of inland seas, than if they were within the ebb and flow of the tide; or in removing obstructions in the vast streams of the West, more than in any work to facilitate commerce on the Atlantic coast. If there be any power for one, there power is also for the other; and they are all and equally for the common good of the country.

There are other objects, apparently more local, or the benefit of which is less general, toward which, nevertheless, I have concurred with others to give aid by donations of land. It is proposed to construct a road in or through one of the new States in which this government possesses large quantities of land. Have the United States no right, or, as a great and untaxed proprietor, are they under

no obligation to contribute to an object thus calculated to promote the common good of all the proprietors, themselves included? And even with respect to education, which is the extreme case, let the question be considered. In the first place, as we have seen, it was made matter of compact with these States that they should do their part to promote education. In the next place, our whole system of land laws proceeds on the idea that education is for the common good; because, in every division, a certain portion is uniformly reserved and appropriated for the use of schools. And, finally, have not these new States singularly strong claims, founded on the ground already stated, that the government is a great untaxed proprietor in the ownership of the soil? It is a consideration of great importance, that probably there is in no part of the country, or of the world, so great call for the means of education as in those new States, owing to the vast numbers of persons within those ages in which education and instruction are usually received, if received at all. This is the natural consequence of recency of settlement and rapid increase. The census of these States shows how great a proportion of the whole population occupies the classes between infancy and manhood. These are the wide fields, and here is the deep and quick soil for the seeds of knowledge and virtue; and this is the favored season, the very spring-time for sowing them. Let them be disseminated without stint. Let them be scattered broadcast, with a bountiful hand. Whatever the government can fairly do toward these objects, in my opinion, ought to be done.

These, Sir, are the grounds, succinctly stated, on which my votes for grants of lands for particular objects rest, while I maintain, at the same time, that it is all a common fund, for the common benefit. And reasons like these, I presume, have influenced the votes of other gentlemen from New England. Those who have a different view of the powers of the government, of course, come to different conclusions on these as on other questions. I observed, when speaking on this subject before, that if we looked to any measure, whether for a road, a canal, or anything else intended for the improvement of the West, it would be found, that if the New England *ayes* were struck out of the list of votes, the Southern *noes* would always have rejected the measure. The truth of this has not been denied, and can not be denied. In stating this, I thought it just to ascribe it to the constitutional scruples of the South, rather than to any other less favorable or less charitable cause. But no sooner had I done this, than the honorable gentle-

man asks if I reproach him and his friends with their constitutional scruples. Sir, I reproach nobody. I stated a fact, and gave the most respectful reason for it that occurred to me. The gentleman can not deny the fact—he may, if he choose, disclaim the reason. It is not long since I had occasion, in presenting a petition from his own State, to account for its being intrusted to my hands by saying, that the constitutional opinions of the gentleman and his worthy colleague prevented them from supporting it. Sir, did I state this as a matter of reproach? Far from it. Did I attempt to find any other cause than an honest one for these scruples! Sir, I did not. It did not become me to doubt, or to insinuate that the gentleman had either changed his sentiments, or that he had made up a set of constitutional opinions, accommodated to any particular combination of political occurrences. Had I done so, I should have felt, that while I was entitled to little credit in thus questioning other people's motives, I justified the whole world in suspecting my own.

But how has the gentleman returned this respect for others' opinions? His own candor and justice, how have they been exhibited toward the motives of others, while he has been at so much pains to maintain—what nobody has disputed—the purity of his own? Why, Sir, he has asked *when*, and *how*, and *why* New England votes were found going for measures favorable to the West; he has demanded to be informed whether all this did not begin in 1825, *and while the election of President was still pending*. Sir, to these questions retort would be justified; and it is both cogent and at hand. Nevertheless, I will answer the inquiry, not by retort, but by facts. I will tell the gentleman *when*, and *how*, and *why* New England has supported measures favorable to the West. I have already referred to the early history of the government—to the first acquisition of the lands—to the original laws for disposing of them and for governing the Territories where they lie; and have shown the influence of New England men and New England principles in all these leading measures. I should not be pardoned were I to go over that ground again. Coming to more recent times, and to measures of a less general character, I have endeavored to prove that every thing of this kind designed for Western improvement has depended on the votes of New England. All this is true beyond the power of contradiction.

And now, Sir, there are two measures to which I will refer, not

so ancient as to belong to the early history of the public lands, and not so recent as to be on this side of the period when the gentleman charitably imagines a new direction may have been given to New England feeling and New England votes. These measures, and the New England votes in support of them, may be taken as samples and specimens of all the rest. In 1820 (observe, Mr. President, in 1820), the people of the West besought Congress for a reduction in the price of lands. In favor of that reduction, New England, with a delegation of forty members in the other house, gave thirty-three votes, and one only against it. The four Southern States, with over fifty members, gave thirty-two votes for it, and seven against it. Again, in 1821 (observe again, Sir, the time), the law passed for the relief of the purchasers of the public lands. This was a measure of vital importance to the West, and more especially to the Southwest. It authorized the relinquishment of contracts for lands, which had been entered into at high prices, and a reduction, in other cases, of not less than $37\frac{1}{2}$ per cent. on the purchase money. Many millions of dollars, six or seven I believe, at least—probably much more—were relinquished by this law. On this bill New England, with her forty members, gave more affirmative votes than the four Southern States with their fifty-two or three members. These two are far the most important general measures respecting the public lands which have been adopted within the last twenty years. They took place in 1820 and 1821. That is the time when. As to the manner how, the gentleman already sees that it was by voting, in solid column, for the required relief; and lastly, as to the cause why, I tell the gentleman, it was because the members from New England thought the measures just and salutary; because they entertained toward the West neither envy, hatred, nor malice; because they deemed it becoming them, as just and enlightened men, to meet the exigency which had arisen in the West with the appropriate measure of relief; because they felt it due to their own characters and the characters of their New England predecessors in this government, to act toward the new States in the spirit of a liberal, patronizing, magnanimous policy. So much, Sir, for the cause *why*; and I hope that by this time, Sir, the honorable gentleman is satisfied; if not, I do not know *when*, or *how*, or *why*, he ever will be.

Having recurred to these two important measures, in answer to the gentleman's inquiries, I must now beg permission to go back to a period yet something earlier, for the purpose of still further

showing how much, or rather how little, reason there is for the gentleman's insinuation that political hopes, or fears, or party associations, were the grounds of these New England votes. And after what has been said, I hope it may be forgiven me if I allude to some political opinions and votes of my own, of very little public importance, certainly, but which, from the time at which they were given and expressed, may pass for good witnesses on this occasion.

This government, Mr. President, from its origin to the peace of 1815, had been too much engrossed with various other important concerns to be able to turn its thoughts inward, and look to the development of its vast internal resources. In the early part of President Washington's administration, it was fully occupied with completing its own organization, providing for the public debt, defending the frontiers, and maintaining domestic peace. Before the termination of that administration, the fires of the French Revolution blazed forth, as from a new-opened volcano, and the whole breadth of the ocean did not secure us from its effects. The smoke and the cinders reached us, though not the burning lava. Difficult and agitating questions, embarrassing to government, and dividing public opinion, sprung out of the new state of our foreign relations, and were succeeded by others, and yet again by others, equally embarrassing, and equally exciting division and discord, through the long series of twenty years, till they finally issued in the war with England. Down to the close of that war, no distinct, marked, and deliberate attention had been given, or could have been given, to the internal condition of the country, its capacities of improvement, or the constitutional power of the government in regard to objects connected with such improvement.

The peace, Mr. President, brought about an entirely new and a most interesting state of things; it opened to us other prospects and suggested other duties; we ourselves were changed, and the whole world was changed. The pacification of Europe, after June, 1815, assumed a firm and permanent aspect. The nations evidently manifested that they were disposed for peace; some agitation of the waves might be expected, even after the storm had subsided; but the tendency was, strongly and rapidly, toward settled repose.

It so happened, Sir, that I was at that time a member of Congress, and, like others, naturally turned my attention to the contemplation of the newly-altered condition of the country and of the

world. It appeared plainly enough to me, as well as to wiser and more experienced men, that the policy of the government would necessarily take a start in a new direction; because new directions would necessarily be given to the pursuits and occupations of the people. We had pushed our commerce far and fast, under the advantage of a neutral flag. But there were now no longer flags, either neutral or belligerent. The harvest of neutrality had been great, but we had gathered it all. With the peace of Europe, it was obvious there would spring up, in her circle of nations, a revived and invigorating spirit of trade, and a new activity in all the business and objects of civilized life. Hereafter, our commercial gains were to be earned only by success in a close and intense competition. Other nations would produce for themselves, and carry for themselves, and manufacture for themselves, to the full extent of their abilities. The crops of our plains would no longer sustain European armies, nor our ships longer supply those whom war had rendered unable to supply themselves. It was obvious that under these circumstances the country would begin to survey itself, and to estimate its own capacity of improvement. And this improvement, how was it to be accomplished, and who was to accomplish it?

We were ten or twelve millions of people, spread over almost half a world. We were more than twenty States, some stretching along the same sea-board, some along the same line of inland frontier, and others on opposite banks of the same vast rivers. Two considerations at once presented themselves, in looking at this state of things, with great force. One was, that that great branch of improvement, which consisted in furnishing new facilities of intercourse, necessarily ran into different States in every leading instance, and would benefit the citizens of all such States. No one State, therefore, in such cases, would assume the whole expense, nor was the co-operation of several States to be expected. Take the instance of the Delaware Breakwater. It will cost several millions of money. Would Pennsylvania alone ever have constructed it? Certainly never, while this Union lasts, because it is not for her sole benefit. Would Pennsylvania, New Jersey, and Delaware have united to accomplish it at their joint expense? Certainly not, for the same reason. It could not be done, therefore, but by the General Government. The same may be said of the large inland undertakings, except that, in them, government, instead of bearing the whole expense, co-operates with others who

bear a part. The other consideration is, that the United States have the means. They enjoy the revenues derived from commerce, and the States have no abundant and easy sources of public income. The custom-houses fill the general treasury, while the States have scanty resources, except by resort to heavy direct taxes.

Under this view of things I thought it necessary to settle, at least for myself, some definite notions with respect to the powers of the government in regard to internal affairs. It may not savor too much of self-commendation to remark, that, with this object, I considered the Constitution, its judicial construction, its cotemporaneous exposition, and the whole history of the legislation of Congress under it; and I arrived at the conclusion that government had power to accomplish sundry objects, or aid in their accomplishment, which are now commonly spoken of as INTERNAL IMPROVEMENTS. That conclusion, Sir, may have been right, or it may have been wrong. I am not about to argue the grounds of it at large. I say only that it was adopted and acted on, even so early as in 1816. Yes, Mr. President, I made up my opinion, and determined on my intended course of political conduct on these subjects, in the 14th Congress in 1816. And now, Mr. President, I have further to say, that I made up these opinions, and entered on this course of political conduct, *Teucro duce*. Yes, Sir, I pursued, in all this, a South Carolina track. On the doctrines of internal improvement, South Carolina, as she was then represented in the other house, set forth, in 1816, under a fresh and leading breeze; and I was among the followers. But if my leader sees new lights, and turns a sharp corner, unless I see new lights also, I keep straight on in the same path. I repeat, that leading gentlemen from South Carolina were first and foremost in behalf of the doctrines of internal improvements, when those doctrines first came to be considered and acted upon in Congress. The debate on the bank question, on the tariff of 1816, and on the direct tax, will show who was who, and what was what, at that time. The tariff of 1816, one of the plain cases of oppression and usurpation, from which, if the government does not recede, individual States may justly secede from the government, is, Sir, in truth, a South Carolina tariff, supported by South Carolina votes. But for those votes it could not have passed in the form in which it did pass; whereas, if it had depended on Massachusetts votes it would have been lost. Does not the honorable gentleman well know all this?

There are certainly those who do full well know it all. I do not say this to reproach South Carolina; I only state the fact, and I think it will appear to be true, that among the earliest and boldest advocates of the tariff, as a measure of protection, and on the express ground of protection, were leading gentlemen of South Carolina in Congress. I did not then, and can not now, understand their language in any other sense. While this tariff of 1816 was under discussion in the House of Representatives, an honorable gentleman from Georgia, now of this house (Mr. Forsyth), moved to reduce the proposed duty on cotton. He failed by four votes, South Carolina giving three votes (enough to have turned the scale) against his motion. The act, Sir, then passed, and received on its passage the support of a majority of the representatives of South Carolina present and voting. This act is the first in the order of those now denounced as plain usurpations. We see it daily in the list by the side of those of 1824 and 1828, as a case of manifest oppression, justifying disunion. I put it home to the honorable member from South Carolina, that his own State was not only "art and part" in this measure, but the *causa causans*. Without her aid, this seminal principle of mischief, this root of upas, could not have been planted. I have already said—and it is true—that this act proceeded on the ground of protection. It interfered directly with existing interests of great value and amount. It cut up the Calcutta cotton trade by the roots. But it passed, nevertheless, and it passed on the principle of protecting manufactures, on the principle against free trade, on the principle *opposed to that which lets us alone*.

Such, Mr. President, were the opinions of important and leading gentlemen from South Carolina, on the subject of internal improvement, in 1816. I went out of Congress the next year, and returning again in 1823, thought I found South Carolina where I had left her. I really supposed that all things remained as they were, and that the South Carolina doctrine of internal improvements would be defended by the same eloquent voices and the same strong arms as formerly. In the lapse of these six years, it is true, political associations had assumed a new aspect and new divisions. A party had arisen in the South hostile to the doctrine of internal improvements, and had vigorously attacked that doctrine. Anti-consolidation was the flag under which this party fought, and its supporters inveighed against internal improvements, much after the manner in which the honorable gentleman has

now inveighed against them, as part and parcel of the system of consolidation.

Whether this party arose in South Carolina herself, or in her neighborhood, is more than I know. I think the latter. However that may have been, there were those found in South Carolina ready to make war upon it, and who did make intrepid war upon it. Names being regarded as things in such controversies, they bestowed on the anti-improvement gentlemen the appellation of Radicals. Yes, Sir, the appellation of Radicals, as a term of distinction, applicable and applied to those who denied the liberal doctrines of internal improvement, originated, according to the best of my recollection, somewhere between North Carolina and Georgia. Well, Sir, these mischievous Radicals were to be put down, and the strong arm of South Carolina was stretched out to put them down. About this time, Sir, I returned to Congress. The battle with the Radicals had been fought, and our South Carolina champions of the doctrines of internal improvement had nobly maintained their ground, and were understood to have achieved a victory. We looked upon them as conquerors. They had driven back the enemy with discomfiture; a thing, by the way, Sir, which is not always performed when it is promised.

A gentleman, to whom I have already referred in this debate, had come into Congress, during my absence from it, from South Carolina, and had brought with him a high reputation for ability. He came from a school with which he had been acquainted, *et noscitur a sociis*. I hold in my hand, Sir, a printed speech of this distinguished gentleman (Mr. McDUFFIE), "ON INTERNAL IMPROVEMENTS," delivered about the period to which I now refer, and printed with a few introductory remarks upon consolidation; in which, Sir, I think he quite consolidated the arguments of his opponents, the Radicals, if to *crush* be to consolidate. I give you a short but expressive quotation from these remarks. He is speaking of a pamphlet, then recently published, entitled "Consolidation;" and having alluded to the question of renewing the charter of the former Bank of the United States, he says: "Moreover, in the early history of parties, and when Mr. Crawford advocated a renewal of the old charter, it was considered a Federal measure; which internal improvement never was, as this author erroneously states. This latter measure originated in the administration of Mr. Jefferson, with the appropriation for the Cumberland road; and was first proposed, *as a system*, by Mr. Calhoun, and carried through

the House of Representatives by a large majority of the Republicans, including almost every one of the leading men who carried us through the late war."

So, then, internal improvement is not one of the Federal heresies. One paragraph more, Sir.

"The author in question, not content with denouncing as Federalists Gen. Jackson, Mr. Adams, Mr. Calhoun, and the majority of the South Carolina delegation in Congress, modestly extends the denunciation to Mr. Monroe and the whole Republican party. Here are his words: 'During the administration of Mr. Monroe, much has passed which the Republican party would be glad to approve, if they could! But the principal feature, and that which has chiefly elicited these observations, is the renewal of the SYSTEM OF INTERNAL IMPROVEMENTS.' Now, this measure was adopted by a vote of 115 to 86 of a Republican Congress, and sanctioned by a Republican President. Who, then, is this author, who assumes the high prerogative of denouncing, in the name of the Republican party, the Republican administration of the country—a denunciation including within its sweep Calhoun, Lowndes, and Cheves; men who will be regarded as the brightest ornaments of South Carolina, and the strongest pillars of the Republican party, as long as the late war shall be remembered, and talents and patriotism shall be regarded as the proper objects of the admiration and gratitude of a free people!"

Such are the opinions, Sir, which were maintained by South Carolina gentlemen in the House of Representatives on the subject of internal improvements, when I took my seat there as a member from Massachusetts, in 1823. But this is not all; we had a bill before us, and passed it in that house, entitled "An act to procure the necessary surveys, plans, and estimates upon the subject of roads and canals." *It authorized the President to cause surveys and estimates to be made of the routes of such roads and canals as he might deem of national importance in a commercial or military point of view, or for the transportation of the mail; and appropriated thirty thousand dollars out of the treasury to defray the expense.* This act, though preliminary in its nature, covered the whole ground. It took for granted the complete power of internal improvement, as far as any of its advocates had ever contended for it. Having passed the other house, the bill came up to the Senate, and was here considered and debated in April, 1824. The honorable member from South Carolina was a member of the Sen-

ate at that time. While the bill was under consideration here, a motion was made to add the following proviso :

"*Provided*, That nothing herein contained shall be construed to affirm *or admit* a power in Congress, on their own authority, to make roads or canals within any of the States of the Union."

The yeas and nays were taken on this proviso, and the honorable member voted *in the negative*. The proviso failed.

A motion was then made to add this proviso, viz. :

"*Provided*, That the faith of the United States is hereby pledged, that no money shall ever be expended for roads or canals, except it shall be among the several States, and in the same proportion as direct taxes are laid and assessed by the provisions of the Constitution."

The honorable member voted *against this proviso* also, and it failed.

The bill was then put on its passage, and the honorable member voted *for it*, and it passed, and became a law.

Now, it strikes me, Sir, that there is no maintaining these votes but upon the power of internal improvement, in its broadest sense. In truth, these bills for surveys and estimates have always been considered as test questions. They show who is for and who against internal improvements. This law itself went the whole length, and assumed the full and complete power. The gentleman's votes sustained that power in every form in which the various propositions to amend presented it. He went for the entire and unrestrained authority, without consulting the States, and without agreeing to any proportionate distribution. And now, suffer me to remind you, Mr. President, that it is this very same power, thus sanctioned in every form by the gentleman's own opinion, that is so plain and manifest a usurpation, that the State of South Carolina is supposed to be justified in refusing submission to any laws carrying the power into effect. Truly, Sir, is not this a little too hard? May we not crave some mercy, under favor and protection of the gentleman's own authority? Admitting that a road or a canal must be written down flat usurpation as was ever committed, may we find no mitigation in our respect for his place and his vote, as one that knows the law?

The tariff which South Carolina had an efficient hand in establishing in 1816, and this asserted power of internal improvement—advanced by her in the same year, and, as we have seen, approved and sanctioned by her representatives in 1824—these two measures

are the great grounds on which she is now thought to be justified in breaking up the Union, if she sees fit to break it up.

I may now safely say, I think that we have had the authority of leading and distinguished gentlemen from South Carolina in support of the doctrine of internal improvement. I repeat that, up to 1824, I, for one, followed South Carolina; but when that star in its ascension veered off in an unexpected direction, I relied on its light no longer. [Here the Vice-President said, "Does the Chair understand the gentleman from Massachusetts to say that the person now occupying the chair of the Senate has changed his opinions on the subject of internal improvements?"] From nothing ever said to me, Sir, have I had reason to know of any change in the opinions of the person filling the chair of the Senate. If such change has taken place, I regret it; I speak generally of the State of South Carolina. Individuals we know there are who hold opinions favorable to the power. An application for its exercise in behalf of a public work in South Carolina itself is now pending, I believe, in the other house, presented by members from that State.

I have thus, Sir, perhaps not without some tediousness of detail, shown that, if I am in error on the subject of internal improvement, how and in what company I fell into that error. If I am wrong, it is apparent who misled me.

I go to other remarks of the honorable member—and I have to complain of an entire misapprehension of what I said on the subject of the national debt—though I can hardly perceive how any one could misunderstand me. What I said was, not that I wished to put off the payment of the debt, but, on the contrary, that I had always voted for every measure for its reduction, as uniformly as the gentleman himself. He seems to claim the exclusive merit of a disposition to reduce the public charge; I do not allow it to him. As a debt, I was, I am, for paying it; because it is a charge on our finances and on the industry of the country. But I observed that I thought I perceived a morbid fervor on that subject; an excessive anxiety to pay off the debt; not so much because it is a debt simply, as because, while it lasts, it furnishes one objection to disunion. It is a tie of common interest while it continues. I did not impute such motives to the honorable member himself; but that there is such a feeling in existence I have not a particle of doubt. The most I said was, that if one effect of the debt was to strengthen our Union, that effect itself was not regretted by me, however much others might regret it. The gentleman has not seen how to reply

to this, otherwise than by supposing me to have advanced the doctrine that a national debt is a national blessing. Others, I must hope, will find much less difficulty in understanding me. I distinctly and pointedly cautioned the honorable member not to understand me as expressing an opinion favorable to the continuance of the debt. I repeated this caution, and repeated it more than once—but it was thrown away.

On yet another point I was still more unaccountably misunderstood. The gentleman had harangued against “consolidation.” I told him, in reply, that there was one kind of consolidation to which I was attached, and that was the CONSOLIDATION OF OUR UNION; that this was precisely that consolidation to which I feared others were not attached; that such consolidation was the very end of the Constitution—the leading object, as they had informed us themselves, which its framers had kept in view. I turned to their communication, and read their very words—“the consolidation of the Union”—and expressed my devotion to this sort of consolidation. I said, in terms, that I wished not in the slightest degree to augment the powers of this government; that my object was to preserve, not to enlarge; and that, by consolidating the Union, I understood no more than the strengthening of the Union and perpetuating it. Having been thus explicit—having thus read from the printed book the precise words which I adopted as expressing my own sentiments—it passes comprehension how any man could understand me as contending for an extension of the powers of the government, or for consolidation in that odious sense in which it means an accumulation in the Federal Government of the powers properly belonging to the States.

I repeat, Sir, that in adopting the sentiment of the framers of the Constitution, I read their language audibly and word for word; and I pointed out the distinction, just as fully as I have now done, between the consolidation of the Union and that other obnoxious consolidation which I disclaimed; and yet the honorable member misunderstood me. The gentleman had said that he wished for no fixed revenue—not a shilling. If, by a word, he could convert the Capitol into gold, he would not do it. Why all this fear of revenue? Why, Sir, because, as the gentleman told us, it tends to consolidation. Now this can mean neither more nor less than that a common revenue is a common interest, and that all common interests tend to hold the Union of the States together. I confess I like that tendency; if the gentleman dislikes it, he is right in

deprecating a shilling's fixed revenue. So much, Sir, for consolidation.

As well as I recollect the course of his remarks, the honorable gentleman next recurred to the subject of the tariff. He did not doubt the word must be of unpleasant sound to me, and proceeded, with an effort neither new nor attended with new success, to involve me and my votes in inconsistency and contradiction. I am happy the honorable gentleman has furnished me an opportunity of a timely remark or two on that subject. I was glad he approached it, for it is a question I enter upon without fear from anybody. The strenuous toil of the gentleman has been to raise an inconsistency between my dissent to the tariff in 1824 and my vote in 1828. It is labor lost. He pays undeserved compliment to my speech in 1824; but this is to raise me high, that my fall, as he would have it, in 1828, may be more signal. Sir, there was no fall at all. Between the ground I stood on in 1824 and that I took in 1828 there was not only no precipice, but no declivity. It was a change of position to meet new circumstances, but on the same level. A plain tale explains the whole matter. In 1816 I had not acquiesced in the tariff, then supported by South Carolina. To some parts of it, especially, I felt and expressed great repugnance. I held the same opinions in 1821, at the meeting in Faneuil Hall, to which the gentleman has alluded. I said then, and say now, that, as an original question, the authority of Congress to exercise the revenue power, with direct reference to the protection of manufactures, is a questionable authority—far more questionable, in my judgment, than the power of internal improvements. I must confess, Sir, that, in one respect, some impression has been made on my opinions lately. Mr. Madison's publication has put the power in a very strong light. He has placed it, I must acknowledge, upon grounds of construction and argument which seem impregnable. But even if the power were doubtful, on the face of the Constitution itself, it had been assumed and asserted in the first revenue law ever passed under that same Constitution; and on this ground, as a matter settled by cotemporaneous practice, I had refrained from expressing the opinion that the tariff laws transcended constitutional limits, as the gentleman supposes. What I did say at Faneuil Hall, as far as I now remember, was, that this was originally matter of doubtful construction. The gentleman himself, I suppose, thinks there is no doubt about it, and that the laws are plainly against the Constitution. Mr. Madison's letters, already re-

ferred to, contain, in my judgment, by far the most able exposition extant of this part of the Constitution. He has satisfied me, so far as the practice of the government has left it an open question.

With a great majority of the representatives of Massachusetts, I voted against the tariff of 1824. My reasons were then given, and I will not now repeat them. But notwithstanding our dissent, the great States of New York, Pennsylvania, Ohio, and Kentucky went for the bill, in almost unbroken column, and it passed. Congress and the President sanctioned it, and it became the law of the land. What, then, were we to do? Our only option was either to fall in with this settled course of public policy, and accommodate ourselves to it as well as we could, or to embrace the South Carolina doctrine, and talk of nullifying the statute by State interference.

This last alternative did not suit our principles, and, of course, we adopted the former. In 1827, the subject came again before Congress, on a proposition favorable to wool and woolens. We looked upon the system of protection as being fixed and settled. The law of 1824 remained. It had gone into full operation, and in regard to some objects intended by it, perhaps most of them had produced all its expected effects. No man proposed to repeal it—no man attempted to renew the general contest on its principle. But, owing to subsequent and unforeseen occurrences, the benefit intended by it to wool and woollen fabrics had not been realized. Events, not known here when the law passed, had taken place, which defeated its object in that particular respect. A measure was accordingly brought forward to meet this precise deficiency, to remedy this particular defect. It was limited to wool and woolens. Was ever anything more reasonable? If the policy of the tariff laws had become established in principle as the permanent policy of the government, should they not be revised and amended, and made equal, like other laws, as exigencies should arise or justice require? Because we had doubted about adopting the system, were we to refuse to cure its manifest defects after it became adopted, and when no one attempted its repeal? And this, Sir, is the inconsistency so much bruited. I had voted against the tariff of 1824—but it passed; and in 1827 and 1828 I voted to amend it in a point essential to the interests of my constituents. Where is the inconsistency? Could I do otherwise?

Sir, does political consistency consist in always giving negative votes? Does it require of a public man to refuse to concur

in amending laws because they passed against his consent? Having voted against the tariff originally, does consistency demand that I should do all in my power to maintain an unequal tariff, burdensome to my own constituents in many respects—favorable in none? To consistency of that sort I lay no claim; and there is another sort to which I lay as little—and that is, a kind of consistency by which persons feel themselves as much bound to oppose a proposition after it has become the law of the land as before.

The bill of 1827, limited, as I have said, to the single object in which the tariff of 1824 had manifestly failed in its effect, passed the House of Representatives, but was lost here. We had then the act of 1828. I need not recur to the history of a measure so recent. Its enemies spiced it with whatsoever they thought would render it distasteful; its friends took it, drugged as it was. Vast amounts of property, many millions, had been invested in manufactures, under the inducements of the act of 1824. Events called loudly, as I thought, for further regulation to secure the degree of protection intended by that act. I was disposed to vote for such regulation, and desired nothing more; but certainly was not to be bantered out of my purpose by a threatened augmentation of duty on molasses, put into the bill for the avowed purpose of making it obnoxious. The vote may have been right or wrong, wise or unwise; but it is little less than absurd to allege against it an inconsistency with opposition to the former law.

Sir, as to the general subject of the tariff, I have little now to say. Another opportunity may be presented. I remarked, the other day, that this policy did not begin with us in New England; and yet, Sir, New England is charged with vehemence as being favorable, or charged with equal vehemence as being unfavorable, to the tariff policy, just as best suits the time, place, and occasion for making some charge against her. The credulity of the public has been put to its extreme capacity of false impression relative to her conduct in this particular. Through all the South, during the late contest, it was New England policy, and a New England administration, that were afflicting the country with a tariff beyond all endurance, while on the other side of the Alleghanies, even the act of 1828 itself—the very sublimated essence of oppression, according to Southern opinions—was pronounced to be one of those blessings for which the West was indebted to the “generous South.”

With large investments in manufacturing establishments, and many and various interests connected with and dependent on them, it is not to be expected that New England, any more than any other portions of the country, will now consent to any measure destructive or highly dangerous. The duty of the government at the present moment would seem to be to preserve, not to destroy; to maintain the position which it has assumed; and for one, I shall feel it an indispensable obligation to hold it steady, as far as in my power, to that degree of protection which it has undertaken to bestow. No more of the tariff.

Professing to be provoked by what he chose to consider a charge made by me against South Carolina, the honorable member, Mr. President, has taken up a new crusade against New England. Leaving altogether the subject of the public lands, in which his success, perhaps, had been neither distinguished nor satisfactory, and letting go, also, of the topic of the tariff, he sallied forth in a general assault on the opinions, politics, and parties of New England, as they have been exhibited in the last thirty years. This is natural. The "narrow policy" of the public lands had proved a legal settlement in South Carolina, and was not to be removed. The "accursed policy" of the tariff, also, had established the fact of its birth and parentage in the same State. No wonder, therefore, the gentleman wished to carry the war, as he expressed it, into the enemy's country. Prudently willing to quit these subjects, he was doubtless desirous of fastening on others that which could not be transferred south of Mason and Dixon's line. The politics of New England became his theme; and it was in this part of his speech, I think, that he menaced me with sore discomfiture.

Discomfiture! why, Sir, when he attacks anything which I maintain, and overthrows it; when he turns the right or left of any position which I take up; when he drives me from any ground I choose to occupy, he may then talk of discomfiture, but not till that distant day. What has he done? Has he maintained his own charges? Has he proved what he alleged? Has he sustained himself in his attack on the government and on the history of the North in the matter of the public lands? Has he disproved a fact, refuted a proposition, weakened an argument maintained by me? Has he come within beat of drum of any position of mine? O, no; but he has "carried the war into the enemy's country!" Carried the war into the enemy's country? Yes, Sir,

and what sort of a war has he made of it? Why, Sir, he has stretched a dragnet over the whole surface of perished pamphlets, indiscreet sermons, frothy paragraphs, and fuming popular addresses; over whatever the pulpit in its moments of alarm, the press in its heats, and parties in their extravagance have severally thrown off, in times of general excitement and violence. He has thus swept together a mass of such things, as, but that they are now old and cold, the public health would have required him rather to leave in their state of dispersion.

For a good long hour or two we had the unbroken pleasure of listening to the honorable member, while he recited, with his usual grace and spirit, and with evident high gusto, speeches, pamphlets, addresses, and all the *et ceteras* of the political press, such as warm heads produce in warm times, and such as it would be "discomfiture" indeed for any one, whose taste did not delight in that sort of reading, to be obliged to peruse. This is his war. This is to carry the war into the enemy's country. It is in an invasion of this sort that he flatters himself with the expectation of gaining laurels fit to adorn a senator's brow.

Mr. President, I shall not, it will not, I trust, be expected that I should, either now or at any time, separate this farrago into parts, and answer and examine its components. I shall hardly bestow upon it all a general remark or two. In the run of forty years, Sir, under this Constitution, we have experienced sundry successive violent party contests. Party arose, indeed, with the Constitution itself, and in some form or other has attended it through the greater part of its history.

Whether any other constitution than the old Articles of Confederation was desirable, was itself a question on which parties formed; if a new constitution were framed, what powers should be given to it was another question; and when it had been formed, what was, in fact, the just extent of the powers actually conferred, was a third. Parties, as we know, existed under the first administration, as distinctly marked as those which have manifested themselves at any subsequent period.

The contest immediately preceding the political change in 1801, and that, again, which existed at the commencement of the late war, are other instances of party excitement, of something more than usual strength and intensity. In all these conflicts there was, no doubt, much of violence on both and all sides. It would be impossible, if one had a fancy for such employment, to adjust the

relative *quantum* of violence between these contending parties. There was enough in each, as must always be expected in popular governments. With a great deal of proper and decorous discussion there was mingled a great deal, also, of declamation, virulence, crimination, and abuse.

In regard to any party, probably, at one of the leading epochs in the history of parties, enough may be found to make out another equally inflamed exhibition as that with which the honorable member has edified us. For myself, Sir, I shall not rake among the rubbish of by-gone times to see what I can find, or whether I can not find something by which I can fix a blot on the escutcheon of any State, any party, or any part of the country. General Washington's administration was steadily and zealously maintained, as we all know, by New England. It was violently opposed elsewhere. We know in what quarter he had the most earnest, constant, and persevering support in all his great and leading measures. We know where his private and personal character was held in the highest degree of attachment and veneration; and we know, too, where his measures were opposed, his services slighted, and his character vilified.

We know, or we might know, if we turn to the journals, who expressed respect, gratitude, and regret when he retired from the chief magistracy; and who refused to express either respect, gratitude, or regret. I shall not open those journals. Publications more abusive or scurrilous never saw the light than were sent forth against Washington, and all his leading measures, from presses south of New England; but I shall not look them up. I employ no scavengers—no one is in attendance on me, tendering such means of retaliation; and if there were, with an ass's load of them, with a bulk as huge as that which the gentleman himself has produced, I would not touch one of them. I see enough of the violence of our own times, to be no way anxious to rescue from forgetfulness the extravagances of times past. Besides, what is all this to the present purpose? It has nothing to do with the public lands, in regard to which the attack was begun; and it has nothing to do with those sentiments and opinions which I have thought tend to disunion, and all of which the honorable member seems to have adopted himself and undertaken to defend. New England has, at times—so argues the gentleman—held opinions as dangerous as those which he now holds. Suppose this was so. Why should *he*, therefore, abuse New England? If he finds him-

self countenanced by acts of hers, how is it that, while he relies on these acts, he covers, or seeks to cover, their authors with reproach?

But, Sir, if, in the course of forty years, there have been undue effervescences of party in New England, has the same thing happened nowhere else? Party animosity and party outrage, not in New England, but elsewhere, denounced President Washington, not only as a Federalist, but as a Tory, a British agent, a man who, in his high office, sanctioned corruption. But does the honorable member suppose that, if I had a tender here, who should put such an effusion of wickedness and folly into my hand, I would stand up and read it against the South? Parties ran into great heats, again, in 1799 and 1800. What was said, Sir, or rather, what was not said, in those years, against John Adams, one of the signers of the Declaration of Independence, and its admitted ablest defender on the floor of Congress? If the gentleman wishes to increase his stores of party abuse and frothy violence—if he has a determined proclivity to such pursuits, there are treasures of that sort south of the Potomac, much to his taste, yet untouched. I shall not touch them.

The parties which divided the country at the commencement of the late war were violent. But, then, there was violence on both sides, and violence in every State. Minorities and majorities were equally violent. There was no more violence against the war in New England than in other States; nor any more appearance of violence, except that, owing to a dense population, greater facility of assembling, and more presses, there may have been more in quantity spoken and printed there than in some other places. In the article of sermons, too, New England is somewhat more abundant than South Carolina; and for that reason, the chance of finding here and there an exceptionable one may be greater. I hope, too, there are more good ones. Opposition may have been more formidable in New England, as it embraced a larger portion of the whole population; but it was no more unrestrained in its principle or violent in manner. The minorities dealt quite as harshly with their own State governments as the majorities dealt with the administration here. There were presses on both sides, popular meetings on both sides, ay, and pulpits on both sides, also. The gentleman's purveyors have only catered for him among the productions of one side. I certainly shall not supply the deficiency by furnishing samples of the other. I leave to him and to them the whole concern.

It is enough for me to say, that if, in any part of this, their grateful occupation—if in all their researches—they find anything in the history of Massachusetts, or New England, or in the proceedings of any legislative or other public body, disloyal to the Union, speaking slightly of its value, proposing to break it up, or recommending non-intercourse with neighboring States, on account of difference of political opinion, then, Sir, I give them all up to the honorable gentleman's unrestrained rebuke; expecting, however, that he will extend his buffetings, in like manner, to all similar proceedings, wherever else found.

The gentleman, Sir, has spoken at large of former parties, now no longer in being, by their received appellations, and has undertaken to instruct us, not only in the knowledge of their principles, but of their respective pedigrees also. He has ascended to their origin, and run out their genealogies. With most exemplary modesty, he speaks of the party to which he professes to have belonged himself, as the true, pure, the only honest, patriotic party, derived by regular descent, from father to son, from the time of the virtuous Romans! Spreading before us the family tree of political parties, he takes especial care to show himself snugly perched on a popular bough! He is wakeful to the expediency of adopting such rules of descent as shall bring him in, in exclusion of others, as an heir to the inheritance of all public virtue and all true political principle. His party and his opinions are sure to be orthodox. Heterodoxy is confined to his opponents. He spoke, Sir, of the Federalists, and I thought I saw some eyes begin to open and stare a little when he ventured on that ground. I expected he would draw his sketches rather lightly, when he looked on the circle round him, and especially if he should cast his thoughts to the high places out of the Senate. Nevertheless, he went back to Rome, *ad annum urbe condita*, and found the fathers of the Federalists in the primeval aristocrats of that renowned empire! He traced the flow of Federal blood down through successive ages and centuries, till he brought it into the veins of the American Tories (of whom, by the way, there were twenty in the Carolinas for one in Massachusetts). From the Tories he followed it to the Federalists; and as the Federal party was broken up, and there was no possibility of transmitting it farther on this side of the Atlantic, he seems to have discovered that it has gone off, collaterally, though against all the canons of descent, into the ultras of France, and finally become extinguished, like exploded gas, among the adherents of Don Miguel.

This, Sir, is an abstract of the gentleman's history of Federalism. I am not about to controvert it. It is not, at present, worth the pains of refutation; because, Sir, if at this day any one feels the sin of Federalism lying heavily on his conscience, he can easily procure remission. He may even obtain an indulgence if he be desirous of repeating the same transgression. It is an affair of no difficulty to get into this same right line of patriotic descent. A man, now-a-days, is at liberty to choose his political parentage. He may elect his own father. Federalist or not, he may, if he choose, claim to belong to the favored stock, and his claim will be allowed. He may carry back his pretensions just as far as the honorable gentleman himself; nay, he may make himself out the honorable gentleman's cousin, and prove satisfactorily that he is descended from the same political great-grandfather. All this is allowable. We all know a process, Sir, by which the whole Essex Junto could in one hour be all washed white from their ancient Federalism, and come out, every one of them, an original Democrat, dyed in the wool! Some of them have actually undergone the operation, and they say it is quite easy. The only inconvenience it occasions, as they tell us, is a slight tendency of the blood to the face, a soft suffusion, which, however, is very transient, since nothing is said by those whom they join calculated to deepen the red on the cheek, but a prudent silence observed in regard to all the past. Indeed, Sir, some smiles of approbation have been bestowed, and some crumbs of comfort have fallen, not a thousand miles from the door of the Hartford Convention itself. And if the author of the ordinance of 1787 possessed the other requisite qualifications, there is no knowing, notwithstanding his Federalism, to what heights of favor he might not yet attain.

Mr. President, in carrying his warfare, such as it is, into New England, the honorable gentleman all along professes to be acting on the defensive. He elects to consider me as having assailed South Carolina, and insists that he comes forth only as her champion, and in her defense. Sir, I do not admit that I made any attack whatever on South Carolina. Nothing like it. The honorable member, in his first speech, expressed opinions, in regard to revenue and some other topics, which I heard both with pain and with surprise. I told the gentleman I was aware that such sentiments were entertained out of the government, but had not expected to find them advanced in it; that I knew there were persons in the South who speak of our Union with indifference or doubt,

taking pains to magnify its evils and to say nothing of its benefits; that the honorable member himself, I was sure, could never be one of these; and I regretted the expression of such opinions as he had avowed, because I thought their obvious tendency was to encourage feelings of disrespect to the Union, and to weaken its connection. This, Sir, is the sum and substance of all I said on the subject. And this constitutes the attack which called on the chivalry of the gentleman, in his own opinion, to harry us with such a foray among the party pamphlets and party proceedings of Massachusetts. If he means that I spoke with dissatisfaction or disrespect of the ebullitions of individuals in South Carolina, it is true. But if he means that I had assailed the character of the State, her honor, or patriotism, that I had reflected on her history or her conduct, he had not the slightest ground for any such assumption. I did not even refer, I think, in my observations, to any collection of individuals. I said nothing of the recent conventions. I spoke in the most guarded and careful manner, and only expressed my regret for the publication of opinions which I presumed the honorable member disapproved as much as myself. In this, it seems, I was mistaken.

I do not remember that the gentleman has disclaimed any sentiment, or any opinion, of a supposed anti-Union tendency, which on all or any of the recent occasions has been expressed. The whole drift of his speech has been rather to prove, that, in divers times and manners, sentiments equally liable to my objection have been promulged in New England. And one would suppose that his object, in this reference to Massachusetts, was to find a precedent to justify proceedings in the South, were it not for the reproach and contumely with which he labors, all along, to load these his own chosen precedents.

By way of defending South Carolina from what he chooses to think an attack on her, he first quotes the example of Massachusetts, and then denounces that example in good set terms. This twofold purpose, not very consistent with itself, one would think, was exhibited more than once in the course of his speech. He referred, for instance, to the Hartford Convention. Did he do this for authority, or for a topic of reproach? Apparently for both; for he told us that he should find no fault with the mere fact of holding such a convention, and considering and discussing such questions as he supposes were then and there discussed; but what rendered it obnoxious was the time it was holden, and the circum-

stances of the country then existing. We were in a war, he said, and the country needed all our aid; the hand of government required to be strengthened, not weakened; and patriotism should have postponed such proceedings to another day. The thing itself, then, is a precedent: the time and manner of it, only, a subject of censure.

Now, Sir, I go much farther, on this point, than the honorable member. Supposing, as the gentleman seems to do, that the Hartford Convention assembled for any such purpose as breaking up the Union, because they thought unconstitutional laws had been passed, or to consult on that subject, or to calculate the value of the Union; supposing this to be their purpose, or any part of it, then I say the meeting itself was disloyal, and was obnoxious to censure, whether held in time of peace, or time of war, or under whatever circumstances. The material question is the object. Is dissolution the object? If it be, external circumstances may make it a more or less aggravated case, but can not affect the principle. I do not hold, therefore, Sir, that the Hartford Convention was pardonable, even to the extent of the gentleman's admission, if its objects were really such as have been imputed to it. Sir, there never was a time, under any degree of excitement, in which the Hartford Convention, or any other convention, could maintain itself one moment in New England, if assembled for any such purpose as the gentleman says would have been an allowable purpose. To hold conventions to decide constitutional law! to try the binding validity of statutes, by votes in a convention! Sir, the Hartford Convention, I presume, would not desire that the honorable gentleman should be their defender or advocate, if he put their case upon such untenable and extravagant grounds.

Then, Sir, the gentleman has no fault to find with these recently promulgated South Carolina opinions. And, certainly, he need have none; for his own sentiments, as now advanced, and advanced on reflection, as far as I have been able to comprehend them, go the full lengths of all these opinions. I propose, Sir, to say something on these, and to consider how far they are just and constitutional. Before doing that, however, let me observe that the eulogium pronounced on the character of the State of South Carolina, by the honorable gentleman, for her Revolutionary and other merits, meets my hearty concurrence. I shall not acknowledge that the honorable member goes before me in regard for whatever of distinguished talent or distinguished character South Carolina

has produced. I claim part of the honor, I partake in the pride, of her great names. I claim them for countrymen, one and all. The Laurenses, the Rutledges, the Pinckneys, the Sumpters, the Marions—Americans all—whose fame is no more to be hemmed in by State lines than their talents and patriotism were capable of being circumscribed within the same narrow limits. In their day and generation they served and honored the country, and the whole country; and their renown is of the treasures of the whole country. Him whose honored name the gentleman himself bears—does he esteem me less capable of gratitude for his patriotism, or sympathy for his sufferings, than if his eyes had first opened upon the light in Massachusetts instead of South Carolina? Sir, does he suppose it in his power to exhibit a Carolina name so bright as to produce envy in my bosom? No, Sir, increased gratification and delight, rather.

I thank God that if I am gifted with little of the spirit which is able to raise mortals to the skies, I have yet none, as I trust, of that other spirit, which would drag angels down. When I shall be found, Sir, in my place here in the Senate, or elsewhere, to sneer at public merit, because it happens to spring up beyond the little limits of my own State or neighborhood; when I refuse, for any such cause, or for any cause, the homage due to American talent, to elevated patriotism, to sincere devotion to liberty and the country; or if I see an uncommon endowment of Heaven, if I see extraordinary capacity and virtue in any son of the South, and if, moved by local prejudice, or gangrened by State jealousy, I get up here to abate the tithe of a hair from his just character and just fame—may my tongue cleave to the roof of my mouth! Sir, let me recur to pleasing recollections; let me indulge in refreshing remembrances of the past; let me remind you that in early times no States cherished greater harmony, both of principle and feeling, than Massachusetts and South Carolina. Would to God that harmony might again return. Shoulder to shoulder they went through the Revolution; hand in hand they stood round the administration of Washington, and felt his own great arm lean on them for support. Unkind feeling—if it exists—alienation, and distrust are the growth—unnatural to such soils—of false principles since sown. They are weeds, the seeds of which that same great arm never scattered.

Mr. President, I shall enter on no encomium upon Massachusetts—she needs none. There she is—behold her, and judge

for yourselves. There is her history—the world knows it by heart. The past, at least, is secure. There is Boston, and Concord, and Lexington, and Bunker Hill; and there they will remain forever. The bones of her sons, fallen in the great struggle for Independence, now lie mingled with the soil of every State from New England to Georgia; and there they will lie forever. And, Sir, where American liberty raised its first voice, and where its youth was nurtured and sustained, there it still lives, in the strength of its manhood, and full of its original spirit. If discord and disunion shall wound it, if party strife and blind ambition shall hawk at and tear it, if folly and madness, if uneasiness under salutary and necessary restraint, shall succeed in separating it from that Union by which alone its existence is made sure—it will stand, in the end, by the side of that cradle in which its infancy was rocked; it will stretch forth its arm, with whatever of vigor it may still retain, over the friends who gather around it; and it will fall at last, if fall it must, amid the proudest monuments of its own glory, and on the very spot of its origin.

There yet remains to be performed, Mr. President, by far the most grave and important duty; which I feel to be devolved on me by this occasion. It is to state, and to defend, what I conceive to be the true principles of the Constitution under which we are here assembled. I might well have desired that so weighty a task should have fallen into other and abler hands. I could have wished that it should have been executed by those whose character and experience give weight and influence to their opinions, such as can not possibly belong to mine. But, Sir, I have met the occasion, not sought it; and I shall proceed to state my own sentiments, without challenging for them any particular regard, with studied plainness and as much precision as possible.

I understand the honorable gentleman from South Carolina to maintain that it is a right of the State Legislatures to interfere, whenever, in their judgment, this government transcends its constitutional limits, and to arrest the operation of its laws.

I understand him to maintain this right as a right existing under the Constitution, not as a right to overthrow it, on the ground of extreme necessity, such as would justify violent revolution.

I understand him to maintain an authority, on the part of the States, thus to interfere, for the purpose of correcting the exercise of power by the General Government, of checking it, and of compelling it to conform to their opinion of the extent of its powers.

I understand him to maintain that the ultimate power of judging of the constitutional extent of its own authority is not lodged exclusively in the General Government or any branch of it; but that, on the contrary, the States may lawfully decide for themselves, and each State for itself, whether, in a given case, the act of the General Government transcends its power.

I understand him to insist that, if the exigency of the case, in the opinion of any State government, require it, such State government may, by its own sovereign authority, annul an act of the General Government which it deems plainly and palpably unconstitutional.

This is the sum of what I understand from him to be the South Carolina doctrine, and the doctrine which he maintains. I propose to consider it, and compare it with the Constitution. Allow me to say, as a preliminary remark, that I call this the South Carolina doctrine, only because the gentleman himself has so denominated it. I do not feel at liberty to say that South Carolina, as a State, has ever advanced these sentiments. I hope she has not, and never may. That a great majority of her people are opposed to the tariff laws is doubtless true. That a majority, somewhat less than that just mentioned, conscientiously believe these laws unconstitutional, may probably also be true. But that any majority holds to the right of direct State interference, at State discretion, the right of nullifying acts of Congress by acts of State legislation, is more than I know, and what I shall be slow to believe.

That there are individuals, besides the honorable gentleman, who do maintain these opinions, is quite certain. I recollect the recent expression of a sentiment which circumstances attending its utterance and publication justify us in supposing was not unpremeditated—"The sovereignty of the State; never to be controlled, construed, or decided on, but by her own feelings of honorable justice."

[Mr. HAYNE here rose, and said, that, for the purpose of being clearly understood, he would state that his proposition was in the words of the Virginia resolution, as follows:

"That this Assembly doth explicitly and peremptorily declare, that it views the powers of the Federal Government, as resulting from the compact, to which the States are parties, as limited by the plain sense and intention of the instrument constituting that compact, as no further valid than they are authorized by the grants enumerated in that compact; and that, in case of a deliberate,

palpable, and dangerous exercise of other powers not granted by the said compact, the States who are parties thereto have the right and are in duty bound to interpose for arresting the progress of the evil, and for maintaining, within their respective limits, the authorities, rights, and liberties appertaining to them."']

Mr. WEBSTER resumed :

I am quite aware, Mr. President, of the existence of the resolution which the gentleman read, and has now repeated, and that he relies on it as his authority. I know the source, too, from which it is understood to have proceeded. I need not say that I have much respect for the constitutional opinions of Mr. Madison ; they would weigh greatly with me, always. But, before the authority of his opinion be vouched for the gentleman's proposition, it will be proper to consider what is the fair interpretation of that resolution, to which Mr. Madison is understood to have given his sanction. As the gentleman construes it, it is an authority for him. Possibly he may not have adopted the right construction. That resolution declares, *that in the case of the dangerous exercise of powers not granted by the General Government, the States may interpose to arrest the progress of the evil.* But how interpose ? and what does this declaration purport ? Does it mean no more than that there may be extreme cases in which the people, in any mode of assembling, may resist usurpation, and relieve themselves from a tyrannical government ? No one will deny this. Such resistance is not only acknowledged to be just in America, but in England also. Blackstone admits as much, in the theory and practice, too, of the English constitution. We, Sir, who oppose the Carolina doctrine, do not deny that the people may, if they choose, throw off any government, when it becomes oppressive and intolerable, and erect a better in its stead. We all know that civil institutions are established for the public benefit, and that, when they cease to answer the ends of their existence, they may be changed.

But I do not understand the doctrine now contended for to be that which, for the sake of distinction, we may call the right of revolution. I understand the gentleman to maintain, that without revolution, without civil commotion, without rebellion, a remedy for supposed abuse and transgression of the powers of the General Government lies in a direct appeal to the interference of the State governments. [Mr. HAYNE here rose. He did not contend, he said, for the mere right of revolution, but for the right of consti-

tutional resistance. What he maintained was, that, in case of a plain, palpable violation of the Constitution by the General Government, a State may interpose; and that this interposition is constitutional.]

Mr. WEBSTER resumed:

So, Sir, I understood the gentleman, and am happy to find that I did not misunderstand him. What he contends for is, that it is constitutional to interrupt the administration of the Constitution itself, in the hands of those who are chosen and sworn to administer it, by the direct interference, in form of law, of the States, in virtue of their sovereign capacity. The inherent right in the people to reform their government I do not deny; and they have another right, and that is, to resist unconstitutional laws without overturning the government. It is no doctrine of mine, that unconstitutional laws bind the people. The great question is, *Whose prerogative is it to decide on the constitutionality or unconstitutionality of the laws?* On that the main debate hinges. The proposition that, in case of a supposed violation of the Constitution by Congress, the States have a constitutional right to interfere, and annul the law of Congress, is the proposition of the gentleman; I do not admit it. If the gentleman had intended no more than to assert the right of revolution for justifiable cause, he would have said only what all agree to. But I can not conceive that there can be a middle course between submission to the laws, when regularly pronounced constitutional, on the one hand, and open resistance, which is revolution or rebellion, on the other. I say the right of a State to annul a law of Congress can not be maintained but on the ground of the inalienable right of man to resist oppression; that is to say, upon the ground of revolution. I admit that there is an ultimate violent remedy, above the Constitution, and in defiance of the Constitution, which may be resorted to, when a revolution is to be justified. But I do not admit that under the Constitution, and in conformity with it, there is any mode in which a State government, as a member of the Union, can interfere and stop the progress of the General Government, by force of her own laws, under any circumstances whatever.

This leads us to inquire into the origin of this government, and the source of its power. Whose agent is it? Is it the creature of the State Legislatures, or the creature of the people? If the government of the United States be the agent of the State governments, then they may control it, provided they can agree in

the manner of controlling it ; if it be the agent of the people, then the people alone can control it, restrain it, modify or reform it. It is observable enough that the doctrine for which the honorable gentleman contends leads him to the necessity of maintaining, not only that this General Government is the creature of the States, but that it is the creature of each of the States severally ; so that each may assert the power, for itself, of determining whether it acts within the limits of its authority. It is the servant of four-and-twenty masters, of different wills and different purposes ; and yet bound to obey all. This absurdity (for it seems no less) arises from a misconception as to the origin of this government, and its true character. It is, Sir, the people's constitution, the people's government ; made for the people ; made by the people ; and answerable to the people. The people of the United States have declared that this Constitution shall be the supreme law. We must either admit the proposition, or dispute their authority. The States are unquestionably sovereign, so far as their sovereignty is not affected by this supreme law. But the State Legislatures, as political bodies, however sovereign, are yet not sovereign over the people. So far as the people have given power to the General Government, so far the grant is unquestionably good, and the government holds of the people, and not of the State governments. We are all agents of the same supreme power, the people. The General Government and the State governments derive their authority from the same source. Neither can, in relation to the other, be called primary ; though one is definite and restricted, and the other general and residuary.

The National Government possesses those powers which it can be shown the people have conferred on it, and no more. All the rest belongs to the State governments, or to the people themselves. So far as the people have restrained State sovereignty by the expression of their will, in the Constitution of the United States, so far, it must be admitted, State sovereignty is effectually controlled. I do not contend that it is, or ought to be, controlled further. The sentiment to which I have referred propounds that State sovereignty is only to be controlled by its own "feeling of justice ;" that is to say, it is not to be controlled at all ; for one who is to follow his own feelings, is under no legal control. Now, however men may think this ought to be, the fact is, that the people of the United States have chosen to impose control on State sovereignties. There are those, doubtless, who wish they had

been left without restraint; but the Constitution has ordered the matter differently. To make war, for instance, is an exercise of sovereignty; but the Constitution declares that no State shall make war. To coin money is another exercise of sovereign power; but no State is at liberty to coin money. Again: the Constitution says, that no sovereign State shall be so sovereign as to make a treaty. These prohibitions, it must be confessed, are a control on the State sovereignty of South Carolina, as well as of the other States, which does not arise "from her own feelings of honorable justice." Such an opinion, therefore, is in defiance of the plainest provisions of the Constitution.

There are other proceedings of public bodies which have already been alluded to, and to which I refer again for the purpose of ascertaining more fully what is the length and breadth of that doctrine, denominated the Carolina doctrine, which the honorable member has now stood up on this floor to maintain.

In one of them I find it resolved that "the tariff of 1828, and every other tariff designed to promote one branch of industry at the expense of others, is contrary to the meaning and intention of the federal compact; and as such a dangerous, palpable, and deliberate usurpation of power, by a determined majority, wielding the General Government beyond the limits of its delegated powers, as calls upon the States which compose the suffering minority, in their sovereign capacity, to exercise the powers which, as sovereigns, necessarily devolve upon them when their compact is violated."

Observe, Sir, that this resolution holds the tariff of 1828, and every other tariff designed to promote one branch of industry at the expense of another, to be such a dangerous, palpable, and deliberate usurpation of power, as calls upon the States, in their sovereign capacity, to interfere by their own authority. This denunciation, Mr. President, you will please to observe, includes our old tariff of 1816, as well as others; because that was established to promote the interest of the manufacturers of cotton, to the manifest and admitted injury of the Calcutta cotton trade. Observe, again, that all the qualifications are here rehearsed, and charged upon the tariff, which are necessary to bring the case within the gentleman's proposition. The tariff is a usurpation; it is a dangerous usurpation; it is a palpable usurpation; it is a deliberate usurpation. It is such a usurpation, therefore, as calls upon the States to exercise their right of interference. Here is a case

then, within the gentleman's principles, and all his qualifications of his principles. It is a case for action. The Constitution is plainly, dangerously, palpably, and deliberately violated; and the States must interpose their own authority to arrest the law. Let us suppose the State of South Carolina to express this same opinion by the voice of her Legislature. That would be very imposing; but what then? Is the voice of one State conclusive? It so happens that, at the very moment when South Carolina resolves that the tariff laws are unconstitutional, Pennsylvania and Kentucky resolve exactly the reverse. *They* hold those laws to be both highly proper and strictly constitutional. And now, Sir, how does the honorable member propose to deal with this case? How does he relieve us from this difficulty, upon any principle of his? His construction gets us into it; how does he propose to get us out?

In Carolina, the tariff is a palpable, deliberate usurpation; Carolina, therefore, may *nullify* it, and refuse to pay the duties. In Pennsylvania, it is both clearly constitutional and highly expedient; and there the duties are to be paid. And yet we live under a government of uniform laws, and under a Constitution, too, which contains an express provision, as it happens, that all duties shall be equal in all the States! Does not this approach absurdity?

If there be no power to settle such questions, independent of either of the States, is not the whole Union a rope of sand? Are we not thrown back again precisely upon the old confederation?

It is too plain to be argued. Four-and-twenty interpreters of constitutional law, each with a power to decide for itself, and none with authority to bind anybody else, and this constitutional law the only bond of their union! What is such a state of things but a mere connection during pleasure, or, to use the phraseology of the times, *during feeling*? And that feeling, too, not the feeling of the people who established the Constitution, but the feeling of the State governments.

In another of the South Carolina addresses, having premised that the crisis requires "all the concentrated energy of passion," an attitude of open resistance to the laws of the Union is advised. Open resistance to the laws, then, is the constitutional remedy, the conservative power of the State, which the South Carolina doctrines teach for the redress of political evils, real or imaginary. And its authors further say that, appealing with confidence to the

Constitution itself to justify their opinions, they can not consent to try their accuracy by the courts of justice. In one sense, indeed, Sir, this is assuming an attitude of open resistance in favor of liberty. But what sort of liberty? The liberty of establishing their own opinions, in defiance of the opinions of all others; the liberty of judging and of deciding exclusively themselves, in a matter in which others have as much right to judge and decide as they; the liberty of placing their own opinions above the judgment of all others, above the laws, and above the Constitution. This is their liberty, and this is the fair result of the proposition contended for by the honorable gentleman. Or it may be more properly said, it is identical with it, rather than a result from it. In the same publication we find the following: "Previously to our Revolution, when the arm of oppression was stretched over New England, where did our Northern brethren meet with a braver sympathy than that which sprung from the bosoms of Carolinians? *We had no extortion, no oppression, no collision with the king's ministers, no navigation interests springing up, in envious rivalry of England.*"

This seems extraordinary language. South Carolina no collision with the king's ministers in 1775! no extortion! no oppression! But, Sir, it is also most significant language. Does any man doubt the purpose for which it was penned? Can any one fail to see that it was designed to raise in the reader's mind the question, whether, *at this time*—that is to say, in 1828—South Carolina has any collision with the king's ministers, any oppression, or extortion, to fear from England? whether, in short, England is not as naturally the friend of South Carolina as New England, with her navigation interests springing up in envious rivalry of England?

Is it not strange, Sir, that an intelligent man in South Carolina, in 1828, should thus labor to prove, that in 1775 there was no hostility, no cause of war, between South Carolina and England? that she had no occasion, in reference to her own interest, or from a regard to her own welfare, to take up arms in the Revolutionary contest? Can any one account for the expression of such strange sentiments, and their circulation through the State, otherwise than by supposing the object to be, what I have already intimated, to raise the question, if they had no "*collision*" (mark the expression) with the ministers of King George the Third, in 1775, what *collision* have they, in 1828, with the ministers of King George the Fourth? What is there now, in the existing state of things,

to separate Carolina from *Old*, more, or rather less, than from *New* England?

Resolutions, Sir, have been recently passed by the Legislature of South Carolina. I need not refer to them; they go no farther than the honorable gentleman himself has gone—and I hope not so far. I content myself, therefore, with debating the matter with him.

And now, Sir, what I have first to say on this subject is, that at no time, and under no circumstances, has New England, or any State in New England, or any respectable body of persons in New England, or any public man of standing in New England, put forth such a doctrine as this Carolina doctrine.

The gentleman has found no case—he can find none—to support his own opinions by New England authority. New England has studied the Constitution in other schools, and under other teachers. She looks upon it with other regards, and deems more highly and reverently, both of its just authority and its utility and excellence. The history of her legislative proceedings may be traced—the ephemeral effusions of temporary bodies, called together by the excitement of the occasion, may be hunted up—they have been hunted up. The opinions and votes of her public men, in and out of Congress, may be explored—it will all be in vain. The Carolina doctrine can derive from her neither countenance nor support. She rejects it now; she always did reject it; and till she loses her senses, she always will reject it. The honorable member has referred to expressions on the subject of the embargo law, made in this place by an honorable and venerable gentleman (Mr. HILLHOUSE) now favoring us with his presence. He quotes that distinguished Senator as saying, that in his judgment the embargo law was unconstitutional, and that, therefore, in his opinion, the people were not bound to obey it.

That, Sir, is perfectly constitutional language. An unconstitutional law is not binding; *but then it does not rest with a resolution or a law of a State Legislature to decide whether an act of Congress be or be not constitutional*. An unconstitutional act of Congress would not bind the people of this District although they have no legislature to interfere in their behalf; and, on the other hand, a constitutional law of Congress does bind the citizens of every State, although all their Legislatures should undertake to annul it, by act or resolution. The venerable Connecticut senator is a constitutional lawyer, of sound principles and enlarged knowledge;

a statesman practiced and experienced, bred in the company of Washington, and holding just views upon the nature of our governments. He believed the embargo unconstitutional, and so did others; but when then? Who did he suppose was to decide that question? The State Legislature? Certainly not. No such sentiment ever escaped his lips. Let us follow up, Sir, this New England opposition to the embargo laws; let us trace it, till we discern the principle which controlled and governed New England throughout the whole course of that opposition. We shall then see what similarity there is between the New England school of constitutional opinions and this modern Carolina school. The gentleman, I think, read a petition from some single individual, addressed to the Legislature of Massachusetts, asserting the Carolina doctrine—that is, the right of State interference to arrest the laws of the Union. The fate of that petition shows the sentiment of the Legislature. It met no favor. The opinions of Massachusetts were otherwise. They had been expressed in 1798, in answer to the resolutions of Virginia, and she did not depart from them, nor bend them to the times. Misgoverned, wronged, oppressed, as she felt herself to be, she still held fast to her integrity to the Union. The gentleman may find in her proceedings much evidence of dissatisfaction with the measures of government, and great and deep dislike to the embargo; all this makes the case so much the stronger for her; for, notwithstanding all this dissatisfaction and dislike, she claimed no right still to sever asunder the bonds of the Union. There was heat, and there was anger in her political feeling. Be it so. Her heat or her anger did not, nevertheless, betray her into infidelity to the government. The gentleman labors to prove that she disliked the embargo as much as South Carolina dislikes the tariff, and expressed her dislike as strongly. Be it so; *but did she propose the Carolina remedy? Did she threaten to interfere, by State authority, to annul the laws of the Union?* That is the question for the gentleman's consideration.

No doubt, Sir, a great majority of the people of New England conscientiously believe the embargo law of 1807 unconstitutional—as conscientiously, certainly, as the people of South Carolina hold that opinion of the tariff. They reasoned thus: Congress has power to regulate commerce; but here is a law, they said, stopping all commerce, and stopping it indefinitely. The law is perpetual; that is, it is not limited in point of time, and must of course continue until it shall be repealed by some other law. It

is as perpetual, therefore, as the law against treason or murder. Now, is this regulating commerce, or destroying it? Is it guiding, controlling, giving the rule to commerce, as a subsisting thing, or is it putting an end to it altogether? Nothing is more certain than that a majority in New England deemed this law a violation of the Constitution. The very case required by the gentleman to justify State interference had then arisen. Massachusetts believed this law to be "*a deliberate, palpable, and dangerous exercise of a power not granted by the Constitution.*" Deliberate it was, for it was long continued; palpable she thought it, as no words in the Constitution gave the power, and only a construction, in her opinion most violent, raised it; dangerous it was, since it threatened utter ruin to her most important interests. Here, then, was a Carolina case. How did Massachusetts deal with it? It was, as she thought, a plain, manifest, palpable violation of the Constitution; and it brought ruin to her doors. Thousands of families, and hundreds of thousands of individuals, were beggared by it. While she saw and felt all this, she saw and felt, also, that as a measure of national policy it was perfectly futile; that the country was no way benefited by that which caused so much individual distress; that it was efficient only for the production of evil, and all that evil inflicted on ourselves. In such a case, under such circumstances, how did Massachusetts demean herself? Sir, she remonstrated, she memorialized, she addressed herself to the General Government, not exactly "with the concentrated energy of passion," but with her own strong sense, and the energy of sober conviction. But she did not interpose the arm of her own power to arrest the law and break the embargo. Far from it. Her principles bound her to two things; and she followed her principles, lead where they might. First, to submit to every constitutional law of Congress; and secondly, if the constitutional validity of the law be doubted, to refer that question to the decision of the proper tribunals. The first principle is vain and ineffectual without the second. A majority of us in New England believed the embargo law unconstitutional; but the great question was, and always will be in such cases, Who is to decide this? Who is to judge between the people and the government? And, Sir, it is quite plain that the Constitution of the United States confers on the government itself, to be exercised by its appropriate department, and under its own responsibility to the people, this power of deciding, ultimately and conclusively, upon

the just extent of its own authority. If this had not been done, we should not have advanced a single step beyond the old confederation.

Being fully of opinion that the embargo law was unconstitutional, the people of New England were yet equally clear in the opinion—it was a matter they did not doubt upon—that the question, after all, must be decided by the judicial tribunals of the United States. Before these tribunals, therefore, they brought the question. Under the provisions of the law they had given bonds, to millions in amount, and which were alleged to be forfeited. They suffered the bonds to be sued, and thus raised the question. In the old-fashioned way of settling disputes, they went to law. The case came to hearing and solemn argument; and he who espoused their cause and stood up for them against the validity of the embargo act, was none other than that great man, of whom the gentleman has made honorable mention, SAMUEL DEXTER. He was then, Sir, in the fullness of his knowledge and the maturity of his strength. He had retired from long and distinguished public service here, to the renewed pursuit of professional duties; carrying with him all that enlargement and expansion, all the new strength and force, which an acquaintance with the more general subjects discussed in the national councils is capable of adding to professional attainment, in a mind of true greatness and comprehension. He was a lawyer, and he was also a statesman. He had studied the Constitution, when he filled public station, that he might defend it; he had examined its principles, that he might maintain them. More than all men, or, at least, as much as any man, he was attached to the General Government, and to the union of the States. His feelings and opinions all ran in that direction. A question of constitutional law, too, was, of all subjects, that one which was best suited to his talents and learning. Aloof from technicality, and unfettered by artificial rule, such a question gave opportunity for that deep and clear analysis, that mighty grasp of principle, which so much distinguished his higher efforts. His very statement was argument; his inference seemed demonstration. The earnestness of his own conviction wrought conviction in others. One was convinced, and believed, and assented, because it was gratifying, delightful, to think, and feel, and believe in unison with an intellect of such evident superiority.

Mr. Dexter, Sir, such as I have described him, argued the New England cause. He put into his effort his whole heart, as well as

all the powers of his understanding; for he had avowed, in the most public manner, his entire concurrence with his neighbors on the point in dispute. He argued the cause; it was lost, and New England submitted. The established tribunals pronounced the law constitutional, and New England acquiesced. Now, Sir, is not this the exact opposite of the doctrine of the gentleman from South Carolina? According to him, instead of referring to the judicial tribunals, we should have broken up the embargo by laws of our own; we should have repealed it, *quoad* New England; for we had a strong, palpable, and oppressive case. Sir, we believe the embargo unconstitutional; but still, that was matter of opinion, and who was to decide it? We thought it a clear case; but, nevertheless, we did not take the law into our hands, *because we did not wish to bring about a revolution, nor to break up the Union*; for I maintain that, between submission to the decision of the constituted tribunals, and revolution, or disunion, there is no middle ground—there is no ambiguous condition, half allegiance and half rebellion. And, Sir, how futile, how very futile it is, to admit the right of State interference, and then attempt to save it from the character of unlawful resistance, by adding terms of qualification to the causes and occasions, leaving all these qualifications, like the case itself, in the discretion of the State governments. It must be a clear case, it is said; a deliberate case; a palpable case; a dangerous case. But, then, the State is still left at liberty to decide for herself what is clear, what is deliberate, what is palpable, what is dangerous.

Do adjectives and epithets avail anything? Sir, the human mind is so constituted, that the merits of both sides of a controversy appear very clear and very palpable to those who respectively espouse them, and both sides usually grow clearer as the controversy advances. South Carolina sees unconstitutionality in the tariff—she sees oppression there, also, and she sees danger. Pennsylvania, with a vision not less sharp, looks at the same tariff, and sees no such thing in it—she sees it all constitutional, all useful, all safe. The faith of South Carolina is strengthened by opposition, and she now not only sees, but *resolves*, that the tariff is palpably unconstitutional, oppressive, and dangerous; but Pennsylvania, not to be behind her neighbors, and equally willing to strengthen her own faith by a confident asseveration, *resolves* also, and gives to every warm affirmative of South Carolina a plain, downright Pennsylvania negative. South Carolina, to show the strength and unity of her

opinion, brings her assembly to a unanimity within seven votes; Pennsylvania, not to be outdone in this respect any more than in others, reduces her dissentient fraction to a single vote. Now, Sir, again I ask the gentleman, What is to be done? Are these States both right? Is he bound to consider them both right? If not, which is in the wrong? or, rather, which has the best right to decide?

And if he and if I are not to know what the Constitution means, and what it is, till those two State Legislatures, and the twenty-two others, shall agree in its construction, what have we sworn to when we have sworn to maintain it? I was forcibly struck, Sir, with one reflection, as the gentleman went on in his speech. He quoted Mr. Madison's resolutions to prove that a State may interfere in a case of deliberate, palpable, and dangerous exercise of a power not granted. The honorable member supposes the tariff law to be such an exercise of power, and that, consequently, a case has arisen in which the State may, if it see fit, interfere by its own law. Now it so happens, nevertheless, that Mr. Madison deems this same tariff law quite constitutional. Instead of a clear and palpable violation, it is, in his judgment, no violation at all. So that, while they use his authority for a hypothetical case, they reject it in the very case before them. All this, Sir, shows the inherent futility—I had almost said a stronger word—of conceding this power of interference to the States, and then attempting to secure it from abuse by imposing qualifications of which the States themselves are to judge. One of two things is true: either the laws of the Union are beyond the discretion and beyond the control of the States, or else we have no Constitution of General Government, and are thrust back again to the days of the Confederacy.

Let me here say, Sir, that if the gentleman's doctrine had been received and acted upon in New England in the time of the embargo and non-intercourse, we should probably not now have been here. The government would very likely have gone to pieces and crumbled into dust. No stronger case can ever arise than existed under those laws; no States can ever entertain a clearer conviction than the New England States then entertained; and if they had been under the influence of that heresy of opinion, as I must call it, which the honorable member espouses, this Union would, in all probability, have been scattered to the four winds. I ask the gentleman, therefore, to apply his principles to that case; I ask him to come forth and declare whether, in his opinion, the New England

States would have been justified in interfering to break up the embargo system, under the conscientious opinions which they held upon it. Had they a right to annul that law? Does he admit or deny? If what is thought palpably unconstitutional in South Carolina justifies that State in arresting the progress of the law, tell me whether that which was thought palpably unconstitutional also in Massachusetts would have justified her in doing the same thing. Sir, I deny the whole doctrine. It has not a foot of ground in the Constitution to stand on. No public man of reputation ever advanced it in Massachusetts in the warmest times, or could maintain himself upon it there at any time.

I wish now, Sir, to make a remark upon the Virginia resolutions of 1798. I can not undertake to say how these resolutions were understood by those who passed them. Their language is not a little indefinite. In the case of the exercise, by Congress, of a dangerous power, not granted to them, the resolutions assert the right, on the part of the State, to interfere and arrest the progress of the evil. This is susceptible of more than one interpretation. It may mean no more than that the States may interfere by complaint or remonstrance, or by proposing to the people an alteration of the Federal Constitution. This would all be quite unobjectionable; or it may be that no more is meant than to assert the general right of revolution, as against all governments, in cases of intolerable oppression. This no one doubts; and this, in my opinion, is all that he who framed the resolutions could have meant by it; for I shall not readily believe that he was ever of opinion that a State, under the Constitution, and in conformity with it, could, upon the ground of her own opinion of its unconstitutionality, however clear and palpable she might think the case, annul a law of Congress, so far as it should operate on herself, by her own legislative power.

I must now beg to ask, Sir, Whence is this supposed right of the States derived? Where do they find the power to interfere with the laws of the Union? Sir, the opinion which the honorable gentleman maintains is a notion founded in a total misapprehension, in my judgment, of the origin of this government, and of the foundation on which it stands. I hold it to be a popular government, erected by the people, those who administer it responsible to the people, and itself capable of being amended and modified, just as the people may choose it should be. It is as popular, just as truly emanating from the people, as the State governments. It is created for one purpose; the State governments for another. It

has its own powers; they have theirs. There is no more authority with them to arrest the operation of a law of Congress, than with Congress to arrest the operation of their laws. We are here to administer a Constitution emanating immediately from the people, and trusted by them to our administration. It is not the creature of the State governments. It is of no moment to the argument, that certain acts of the State Legislatures are necessary to fill our seats in this body. That is not one of their original State powers, a part of the sovereignty of the State. It is a duty which the people, by the Constitution itself, have imposed on the State Legislatures, and which they might have left to be performed elsewhere if they had seen fit. So they have left the choice of President with electors; but all this does not affect the proposition, that this whole government—President, Senate, and House of Representatives—is a popular government. It leaves it still all its popular character. The governor of the State (in some of the States) is chosen, not directly by the people, but by those who are chosen by the people, for the purpose of performing, among other duties, that of electing a governor. Is the government of the State on that account not a popular government? This government, Sir, is the independent offspring of the popular will. It is not the creature of State Legislatures; nay, more, if the whole truth must be told, the people brought it into existence, established it, and have hitherto supported it, for the very purpose, among others, of imposing certain salutary restraints on State sovereignties. The States can not now make war; they can not contract alliances; they can not make, each for itself, separate regulations of commerce; they can not lay imposts; they can not coin money. If this Constitution, Sir, be the creature of State Legislatures, it must be admitted that it has obtained a strange control over the volition of its creators.

The people then, Sir, erected this government. They gave it a Constitution, and in that Constitution they have enumerated the powers which they bestow on it. They have made it a limited government. They have defined its authority. They have restrained it to the exercise of such powers as are granted; and all others, they declare, are reserved to the States or the people. But, Sir, they have not stopped here. If they had, they would have accomplished but half their work. No definition can be so clear as to avoid possibility of doubt; no limitation so precise as to exclude all uncertainty. Who, then, shall construe this grant of the people? Who shall interpret their will, where it may be supposed

they have left it doubtful? With whom do they repose this ultimate right of deciding on the powers of the government? Sir, they have settled all this in the fullest manner. They have left it with the government itself, in its appropriate branches. Sir, the very chief end, the main design for which the whole Constitution was framed and adopted, was to establish a government that should not be obliged to act through State agency, or depend on State opinion and State discretion. The people had had quite enough of that kind of government under the Confederacy. Under that system, the legal action—the application of law to individuals—belonged exclusively to the States. Congress could only recommend—their acts were not of binding force till the States had adopted and sanctioned them. Are we in that condition still? Are we yet at the mercy of State discretion and State construction? Sir, if we are, then vain will be our attempt to maintain the Constitution under which we sit.

But, Sir, the people have wisely provided, in the Constitution itself, a proper, suitable mode and tribunal for settling questions of constitutional law. There are in the Constitution grants of powers to Congress, and restrictions on those powers. There are also prohibitions on the States. Some authority must therefore necessarily exist, having the ultimate jurisdiction to fix and ascertain the interpretation of these grants, restrictions, and prohibitions. The Constitution has itself pointed out, ordained, and established that authority. How has it accomplished this great and essential end? By declaring, Sir, that "*the Constitution, and the laws of the United States made in pursuance thereof, shall be the supreme law of the land, anything in the Constitution or laws of any State to the contrary notwithstanding.*"

This, Sir, was the first great step. By this, the supremacy of the Constitution and laws of the United States is declared. The people so will it. No State law is to be valid which comes in conflict with the Constitution or any law of the United States passed in pursuance of it. But who shall decide this question of interference? To whom lies the last appeal? This, Sir, the Constitution itself decides also, by declaring "*that the judicial power shall extend to all cases arising under the Constitution and laws of the United States.*" These two provisions, Sir, cover the whole ground. They are, in truth, the keystone of the arch. With these it is a government; without them it is a confederacy. In pursuance of these clear and express provisions, Congress established,

at its very first session, in the judicial act, a mode for carrying them into full effect, and for bringing all questions of constitutional power to the final decision of the Supreme Court. It then, Sir, became a government. It then had the means of self-protection; and but for this it would, in all probability, have been now among things which are passed. Having constituted the government, and declared its powers, the people have further said, that since somebody must decide on the extent of these powers, the government shall itself decide—subject always, like other popular governments, to its responsibility to the people. And now, Sir, I repeat, how is it that a State Legislature acquires any power to interfere? Who, or what, gives them the right to say to the people, “We, who are your agents and servants for one purpose, will undertake to decide that your other agents and servants, appointed by you for another purpose, have transcended the authority you gave them?” The reply would be, I think, not impertinent, “Who made you a judge over another’s servants? To their own masters they stand or fall.”

Sir, I deny this power of State Legislatures altogether. It can not stand the test of examination. Gentlemen may say, that in an extreme case a State government might protect the people from intolerable oppression. Sir, in such a case the people might protect themselves, without the aid of the State governments. Such a case warrants revolution. It must make, when it comes, a law for itself. A nullifying act of a State Legislature can not alter the case, nor make resistance any more lawful. In maintaining these sentiments, Sir, I am but asserting the rights of the people. I state what they have declared, and insist on their right to declare it. They have chosen to repose this power in the General Government, and I think it my duty to support it, like other constitutional powers.

For myself, Sir, I do not admit the jurisdiction of South Carolina, or any other State, to prescribe my constitutional duty, or to settle, between me and the people, the validity of laws of Congress for which I have voted. I decline her umpirage. I have not sworn to support the Constitution according to her construction of its clauses. I have not stipulated, by my oath of office or otherwise, to come under any responsibility, except to the people and those whom they have appointed to pass upon the question, whether laws, supported by my votes, conform to the Constitution of the country. And, Sir, if we look to the general nature of the

case, could anything have been more preposterous than to make a government for the whole Union, and yet leave its powers subject, not to one interpretation, but to thirteen or twenty-four interpretations? Instead of one tribunal, established by all, responsible to all, with power to decide for all, shall constitutional questions be left to four-and-twenty popular bodies, each at liberty to decide for itself, and none bound to respect the decisions of others; and each at liberty, too, to give a new construction, on every new election of its own members? Would anything, with such a principle in it, rather with such a destitution of all principle, be fit to be called a government? No, Sir. It should not be denominated a Constitution. It should be called, rather, a collection of topics for everlasting controversy; heads of debate for a disputations people. It would not be a government. It would not be adequate to any practical good, or fit for any country to live under. To avoid all possibility of being misunderstood, allow me to repeat again, in the fullest manner, that I claim no powers for the government by forced or unfair construction. I admit that it is a government of strictly limited powers; of enumerated, specified, and particularized powers; and that whatsoever is not granted is withheld. But, notwithstanding all this, and however the grant of powers may be expressed, its limit and extent may yet, in some cases, admit of doubt; and the General Government would be good for nothing, it would be incapable of long existing, if some mode had not been provided in which those doubts, as they should arise, might be peaceably, but authoritatively, solved.

And now, Mr. President, let me run the honorable gentleman's doctrine a little into its practical application. Let us look at his probable *modus operandi*. If a thing can be done, an ingenious man can tell *how* it is to be done. Now, I wish to be informed *how* this State interference is to be put in practice without violence, bloodshed, and rebellion. We will take the existing case of the tariff law. South Carolina is said to have made up her opinion upon it. If we do not repeal it (as we probably shall not) she will then apply to the case the remedy of her doctrine. She will, we must suppose, pass a law of her Legislature, declaring the several acts of Congress, usually called the tariff laws, null and void, so far as they respect South Carolina or the citizens thereof. So far, all is a paper transaction, and easy enough. But the collector at Charleston is collecting the duties imposed by these tariff laws—he, therefore, must be stopped. The collector will seize

the goods if the tariff duties are not paid. The State authorities will undertake their rescue; the marshal, with his posse, will come to the collector's aid; and here the contest begins. The militia of the State will be called out to sustain the nullifying act. They will march, Sir, under a very gallant leader; for I believe the honorable member himself commands the militia of that part of the State. He will raise the NULLIFYING ACT on his standard, and spread it out as his banner. It will have a preamble, bearing that the tariff laws are palpable, deliberate, and dangerous violations of the Constitution. He will proceed, with his banner flying, to the custom-house in Charleston,

“all the while

Sonorous metal blowing martial sounds.”

Arrived at the custom-house, he will tell the collector that he must collect no more duties under any of the tariff laws. This he will be somewhat puzzled to say, by the way, with a grave countenance, considering what hand South Carolina herself had in that of 1816. But, Sir, the collector would not probably desist at his bidding. He would show him the law of Congress, the treasury instruction, and his own oath of office. He would say, he should perform his duty, come what might. Here would come a pause; for they say that a certain stillness precedes the tempest. The trumpeter would hold his breath awhile, and before all this military array should fall on the custom-house, collector, clerks, and all, it is very probable some of those composing it would request of their gallant commander-in-chief to be informed a little upon the point of law; for they have doubtless a just respect for his opinions as a lawyer, as well as for his bravery as a soldier. They know he has read Blackstone and the Constitution, as well as Turenne and Vauban. They would ask him, therefore, something concerning their rights in this matter. They would inquire whether it was not somewhat dangerous to resist a law of the United States. What would be the nature of their offense, they would wish to learn, if they, by military force and array, resisted the execution in Carolina of a law of the United States, and it should turn out, after all, that the law *was constitutional*. He would answer, of course, treason. No lawyer could give any other answer. John Fries, he would tell them, had learned that some years ago. How, then, they would ask, do you propose to defend us? We are not afraid of bullets, but treason has a way of taking people off that we do not much relish. How do you pro-

pose to defend us? "Look at my floating banner," he would reply; "see there the *nullifying law*!" Is it your opinion, gallant commander, they would then say, that if we should be indicted for treason, that same floating banner of yours would make a good plea in bar? "South Carolina is a sovereign State," he would reply. "That is true; but would the judge admit our plea?" "These tariff laws," he would repeat, "are unconstitutional, palpably, deliberately, dangerously." "That may all be so; but if the tribunals should not happen to be of that opinion, shall we swing for it? We are ready to die for our country, but it is rather an awkward business, this dying without touching the ground." After all, that is a sort of *hemp-tax*, worse than any part of the tariff.

Mr. President, the honorable gentleman would be in a dilemma like that of another great general. He would have a knot before him which he could not untie. He must cut it with his sword. He must say to his followers, Defend yourselves with your bayonets; and this is war—civil war.

Direct collision, therefore, between force and force, is the unavoidable result of that remedy for the revision of unconstitutional laws which the gentleman contends for. It must happen in the very first case to which it is applied. Is not this the plain result? To resist, by force, the execution of a law, generally, is treason. Can the courts of the United States take notice of the indulgence of a State to commit treason? The common saying, that a State can not commit treason herself, is nothing to the purpose. Can she authorize others to do it? If John Fries had produced an act of Pennsylvania, annulling the law of Congress, would it have helped his case? Talk about it as we will, these doctrines go the length of revolution. They are incompatible with any peaceable administration of the government. They lead directly to disunion and civil commotion; and therefore it is, that at their commencement, when they are first found to be maintained by respectable men, and in a tangible form, I enter my public protest against them all.

The honorable gentleman argues, that if this government be the sole judge of the extent of its own powers, whether that right of judging be in Congress or the Supreme Court, it equally subverts State sovereignty. This the gentleman sees, or thinks he sees, although he can not perceive how the right of judging in this matter, if left to the exercise of State Legislatures, has any tendency to subvert the government of the Union. The gentleman's opinion may be that the right *ought not* to have been lodged with

the General Government; he may like better such a constitution as we should have under the right of State interference; but I ask him to meet me on the plain matter of fact—I ask him to meet me on the Constitution itself—I ask him if the power is not found there—clearly and visibly found there.

But, Sir, what is this danger, and what are the grounds of it? Let it be remembered, that the Constitution of the United States is not unalterable. It is to continue in its present form no longer than the people who established it shall choose to continue it. If they shall become convinced that they have made an injudicious or inexpedient partition and distribution of power between the State governments and the General Government, they can alter that distribution at will.

If anything be found in the national Constitution, either by original provision or subsequent interpretation, which ought not to be in it, the people know how to get rid of it. If any construction be established, unacceptable to them, so as to become, practically, a part of the Constitution, they will amend it at their own sovereign pleasure. But while the people choose to maintain it as it is, while they are satisfied with it, and refuse to change it, who has given, or who can give to the State Legislatures a right to alter it, either by interference, construction, or otherwise? Gentlemen do not seem to recollect that the people have any power to do anything for themselves; they imagine there is no safety for them any longer than they are under the close guardianship of the State Legislatures. Sir, the people have not trusted their safety, in regard to the general Constitution, to these hands; they have required other security, and taken other bonds. They have chosen to trust themselves, first, to the plain words of the instrument, and to such construction as the government itself, in doubtful cases, should put on its own powers, and under their oaths of office, and subject to their responsibility to them; just as the people of a State trust their own State governments with a similar power. Secondly, they have reposed their trust in the efficacy of frequent elections, and in their own power to remove their own servants and agents whenever they see cause. Thirdly, they have reposed trust in the judicial power, which, in order that it might be trustworthy, they have made as respectable, as disinterested, and as independent as was practicable. Fourthly, they have seen fit to rely, in case of necessity or high expediency, on their known and admitted power to alter or amend the Constitu-

tion, peaceably and quietly, whenever experience shall point out defects or imperfections. And, finally, the people of the United States have at no time, in no way, directly or indirectly, authorized any State Legislature to construe or interpret *their* high instrument of government; much less to interfere, by their own power, to arrest its course and operation.

If, Sir, the people, in these respects, had done otherwise than they have done, their Constitution could neither have been preserved, nor would it have been worth preserving. And if its plain provision shall now be disregarded, and these new doctrines interpolated in it, it will become as feeble and helpless a being as its enemies, whether early or more recent, could possibly desire. It will exist in every State, but as a poor dependent on State permission. It must borrow leave to be, and will be, no longer than State pleasure or State discretion sees fit to grant the indulgence, and prolong its poor existence.

But, Sir, although there are fears, there are hopes also. The people have preserved this, their own chosen Constitution, for forty years, and have seen their happiness, prosperity, and renown grow with its growth and strengthen with its strength. They are now, generally, strongly attached to it. Overthrown by direct assault it can not be; evaded, undermined, NULLIFIED, it will not be, if we, and those who shall succeed us here, as agents and representatives of the people, shall conscientiously and vigilantly discharge the two great branches of our public trust—faithfully to preserve and wisely to administer it.

Mr. President, I have thus stated the reasons of my dissent to the doctrines which have been advanced and maintained. I am conscious of having detained you and the Senate much too long. I was drawn into the debate with no previous deliberation such as is suited to the discussion of so grave and important a subject. But it is a subject of which my heart is full, and I have not been willing to suppress the utterance of its spontaneous sentiments.

I can not, even now, persuade myself to relinquish it, without expressing once more my deep conviction that since it respects nothing less than the union of the States, it is of most vital and essential importance to the public happiness. I profess, Sir, in my career hitherto, to have kept steadily in view the prosperity and honor of the whole country, and the preservation of our Federal Union. It is to that Union we owe our safety at home and our consideration and dignity abroad. It is to that Union that

we are chiefly indebted for whatever makes us most proud of our country. That Union we reached only by the discipline of our virtues in the severe school of adversity. It had its origin in the necessities of disordered finance, prostrate commerce, and ruined credit. Under its benign influences these great interests immediately awoke, as from the dead, and sprang forth with newness of life. Every year of its duration has teemed with fresh proofs of its utility and its blessings; and although our territory has stretched out wider and wider, and our population spread farther and farther, they have not outrun its protection or its benefits. It has been to us all a copious fountain of national, social, and personal happiness. I have not allowed myself, Sir, to look beyond the Union, to see what might lie hidden in the dark recess behind. I have not coolly weighed the chances of preserving liberty, when the bonds that unite us together shall be broken asunder. I have not accustomed myself to hang over the precipice of disunion, to see whether, with my short sight, I can fathom the depth of the abyss below; nor could I regard him as a safe counselor in the affairs of this government, whose thoughts should be mainly bent on considering, not how the Union should be best preserved, but how tolerable might be the condition of the people when it shall be broken up and destroyed. While the Union lasts, we have high, exciting, gratifying prospects spread out before us, for us and our children. Beyond that I seek not to penetrate the vail. God grant that in my day, at least, that curtain may not rise. God grant that on my vision never may be opened what lies behind. When my eyes shall be turned to behold, for the last time, the sun in heaven, may I not see him shining on the broken and dishonored fragments of a once glorious Union; on States dissevered, discordant, belligerent; on a land rent with civil feuds, or drenched, it may be, in fraternal blood! Let their last feeble and lingering glance, rather, behold the gorgeous ensign of the republic, now known and honored throughout the earth, still full high advanced, its arms and trophies streaming in their original luster, not a stripe erased or polluted, nor a single star obscured—bearing for its motto no such miserable interrogatory as, *What is all this worth?* nor those other words of delusion and folly, *Liberty first, and Union afterward*; but everywhere, spread all over in characters of living light, blazing on all its ample folds, as they float over the sea and over the land, and in every wind under the whole heavens, that other sentiment, dear to every true American heart—*Liberty and Union, now and forever, one and inseparable!*

THE UNION NOT A COMPACT

A Speech, by Daniel Webster, in the United States Senate, 16th February, 1833.

ON the 21st of January, 1833, Mr. WILKINS, Chairman of the Judiciary Committee of the Senate, introduced the bill further to provide for the collection of duties. On the 22d day of the same month, Mr. CALHOUN submitted the following resolutions:

Resolved, That the people of the several States composing these United States are united as parties to a constitutional compact, to which the people of each State acceded as a separate sovereign community, each binding itself by its own particular ratification; and that the union, of which the said compact is the bond, is a union *between the States* ratifying the same.

Resolved, That the people of the several States thus united by the constitutional compact, in forming that instrument, and in creating the general government to carry into effect the objects for which they were formed, delegated to that government, for that purpose, certain definite powers, to be exercised jointly, reserving, at the same time, each State to itself, the residuary mass of powers, to be exercised by its own separate government; and that, whenever the general government assumes the exercise of powers not delegated by the compact, its acts are unauthorized, and are of no effect; and that the same government is not made the final judge of the powers delegated to it, since that would make its discretion, and not the Constitution, the measure of its powers; but that, as in all other cases of compact among sovereign parties, without any common judge, each has an equal right to judge for itself, as well of the infraction as of the mode and measure of redress.

Resolved, That the assertions, that the people of these United States, taken collectively as individuals, are now, or ever have been, united on the principle of the social compact, and, as such, are now formed into one nation or people, or that they have ever been so united in any one stage of their political existence; that the people of the several States composing the Union have not, as members thereof, retained their sovereignty; that the allegiance of their citizens has been transferred to the general government; that they have parted with the right of punishing treason through their respective State governments; that they have not the right of judging in the last resort as to the extent of the powers reserved, and of consequence of those delegated—are not only without foundation in truth, but are contrary to the most certain and plain historical facts, and the clearest deductions of reason; and that all exercise of power on the part of the general government, or any of its departments, claiming authority from such erroneous assumptions, must of necessity be unconstitutional—must tend directly and inevitably to subvert the sovereignty of the States, to destroy the federal character of the Union, and to rear on its ruins a consolidated government, without constitutional check or limitation, and which must necessarily terminate in the loss of liberty itself.

On Saturday, the 16th of February, Mr. CALHOUN spoke in opposition to the bill, and in support of these resolutions. He was followed by Mr. WEBSTER in this speech:

MR. PRESIDENT—The gentleman from South Carolina has admonished us to be mindful of the opinions of those who shall come

after us. We must take our chance, Sir, as to the light in which posterity will regard us. I do not decline its judgment, nor withhold myself from its scrutiny. Feeling that I am performing my public duty with singleness of heart and to the best of my ability, I fearlessly trust myself to the country, now and hereafter, and leave both my motives and my character to its decision.

The gentleman has terminated his speech in a tone of threat and defiance toward this bill, even should it become a law of the land, altogether unusual in the halls of Congress. But I shall not suffer myself to be excited into warmth by his denunciation of the measure which I support. Among feelings which at this moment fill my breast, not least is that of regret at the position in which the gentleman has placed himself. Sir, he does himself no justice. The cause which he has espoused finds no basis in the Constitution, no succor from public sympathy, no cheering from a patriotic community. He has no foothold on which to stand while he might display the powers of his acknowledged talents. Everything beneath his feet is hollow and treacherous. He is like a strong man struggling in a morass—every effort to extricate himself only sinks him deeper and deeper. And I fear the resemblance may be carried still further; I fear that no friend can safely come to his relief, that no one can approach near enough to hold out a helping hand, without danger of going down himself, also, into the bottomless depths of this Serbonian bog.

The honorable gentleman has declared, that on the decision of the question now in debate may depend the cause of liberty itself. I am of the same opinion; but then, Sir, the liberty which I think is staked on the contest is not political liberty, in any general and undefined character, but our own well-understood and long-enjoyed *American* liberty.

Sir, I love Liberty no less ardently than the gentleman himself, in whatever form she may have appeared in the progress of human history. As exhibited in the master states of antiquity, as breaking out again from amid the darkness of the Middle Ages, and beaming on the formation of new communities in modern Europe, she has, always and everywhere, charms for me. Yet, Sir, it is our own liberty, guarded by constitution and secured by union, it is that liberty which is our paternal inheritance, it is our established, dear-bought, peculiar American liberty, to which I am chiefly devoted, and the cause of which I now mean, to the utmost of my power, to maintain and defend.

Mr. President, if I consider the constitutional question now before us doubtful, as it is important, and if I suppose that its decision, either in the Senate or by the country, was likely to be in any degree influenced by the manner in which I might now discuss it, this would be to me a moment of deep solicitude. Such a moment has once existed. There has been a time when, rising in this place, on the same question, I felt, I must confess, that something for good or evil to the Constitution of the country might depend on an effort of mine. But circumstances are changed. Since that day, Sir, the public opinion has become awakened to this great question; it has grasped it; it has reasoned upon it, as becomes an intelligent and patriotic community, and has settled it, or now seems in the progress of settling it, by an authority which none can disobey, the authority of the people themselves.

I shall not, Mr. President, follow the gentleman step by step, through the course of his speech. Much of what he has said he has deemed necessary to the just explanation and defense of his own political character and conduct. On this I shall offer no comment. Much, too, has consisted of philosophical remark upon the general nature of political liberty and the history of free institutions, and upon other topics, so general in their nature as to possess, in my opinion, only a remote bearing on the immediate subject of this debate.

But the gentleman's speech, made some days ago, upon introducing his resolutions, those resolutions themselves, and parts of the speech now just concluded, may, I presume, be justly regarded as containing the whole South Carolina doctrine. That doctrine it is my purpose now to examine, and to compare it with the Constitution of the United States. I shall not consent, Sir, to make any new constitution, or to establish another form of government. I will not undertake to say what a constitution of these United States ought to be. That question the people have decided for themselves; and I shall take the instrument as they have established it, and shall endeavor to maintain it, in its plain sense and meaning, against opinions and notions which, in my judgment, threaten its subversion.

The resolutions introduced by the gentleman were apparently drawn up with care and brought forward upon deliberation. I shall not be in danger, therefore, of misunderstanding him, or those who agree with him, if I proceed at once to these resolutions, and consider them as an authentic statement of those opinions

upon the great constitutional question, by which the recent proceedings in South Carolina are attempted to be justified.

These resolutions are three in number.

The third seems intended to enumerate, and to deny, the several opinions expressed in the President's proclamation, respecting the nature and powers of this government. Of this third resolution, I purpose, at present, to take no particular notice.

The first two resolutions of the honorable member affirm these propositions, viz.:

1. That the political system under which we live, and under which Congress is now assembled, is a *compact*, to which the people of the several States, as separate and sovereign communities, are the *parties*.

2. That these sovereign parties have a right to judge, each for itself, of any alleged violation of the Constitution by Congress; and, in case of such violation, to choose, each for itself, its own mode and measure of redress.

It is true, Sir, that the honorable member calls this a "constitutional" compact; but still he affirms it to be a compact between sovereign States. What precise meaning, then, does he attach to the term *constitutional*? When applied to compacts between sovereign States, the term *constitutional* affixes to the word *compact* no definite idea. Were we to hear of a constitutional league or treaty between England and France, or a constitutional convention between Austria and Russia, we should not understand what could be intended by such a league, such a treaty, or such a convention. In these connections, the word is void of all meaning; and yet, Sir, it is easy, quite easy, to see why the honorable gentleman has used it in these resolutions. He can not open the book, and look upon our written frame of government, without seeing that it is called a *constitution*. This may well be appalling to him. It threatens his whole doctrine of compact, and its darling derivatives, nullification and secession, with instant confutation. Because, if he admits our instrument of government to be a *constitution*, then, for that very reason, it is not a compact between sovereigns; a constitution of government and a compact between sovereign powers being things essentially unlike in their very natures, and incapable of ever being the same. Yet the word *constitution* is on the very front of the instrument. He can not overlook it. He seeks, therefore, to compromise the matter, and to sink all the substantial sense of the word, while he retains a resemblance of its sound. He introduces a new word of his own, viz., *compact*, as importing the principal idea, and designed to play the principal part, and degrades *constitution* into an insignificant, idle epithet, attached to *compact*. The whole then stands as a "*constitutional compact*!" And in this way he hopes to pass off a plausible gloss, as satisfying the words of the instrument. But he will find himself disappointed. Sir, I must say to the honorable gentleman, that, in our American political grammar, CONSTITUTION is a noun substantive; it imports a distinct and clear idea of itself; and it is

not to lose its importance and dignity, it is not to be turned into a poor, ambiguous, senseless, unmeaning adjective, for the purpose of accommodating any new set of political notions. Sir, we reject his new rules of syntax altogether. We will not give up our forms of political speech to the grammarians of the school of nullification. By the Constitution, we mean, not a "constitutional compact," but, simply and directly, the Constitution, the fundamental law; and if there be one word in the language which the people of the United States understand, this is that word. We know no more of a constitutional compact between sovereign powers, than we know of a *constitutional* indenture of copartnership, a *constitutional* deed of conveyance, or a *constitutional* bill of exchange. But we know what the *Constitution* is; we know what the plainly written, fundamental law is; we know what the bond of our Union and the security of our liberties is; and we mean to maintain and to defend it, in its plain sense and unsophisticated meaning.

The sense of the gentleman's proposition, therefore, is not at all affected, one way or the other, by the use of this word. That proposition still is, that our system of government is but a *compact* between the people of separate and sovereign States.

Was it Mirabeau, Mr. President, or some other master of the human passions, who has told us that words are things? They are indeed things, and things of mighty influence, not only in addresses to the passions and high-wrought feelings of mankind, but in the discussion of legal and political questions also; because a just conclusion is often avoided, or a false one reached, by the adroit substitution of one phrase, or one word, for another. Of this, we have, I think, another example in the resolutions before us.

The first resolution declares that the people of the several States "*acceded*" to the Constitution, or to the constitutional compact, as it is called. This word "*accede*," not found either in the Constitution itself, or in the ratification of it by any one of the States, has been chosen for use here, doubtless, not without a well-considered purpose.

The natural converse of *accession* is *secession*; and, therefore, when it is stated that the people of the States acceded to the Union, it may be more plausibly argued that they may secede from it. If, in adopting the Constitution, nothing was done but acceding to a compact, nothing would seem necessary, in order to break it up, but to secede from the same compact. But the term is wholly out of place. *Accession*, as a word applied to political associations, implies coming into a league, treaty, or confederacy, by one hitherto a stranger to it; and *secession* implies departing from such league or confederacy. The people of the United States have used no such form of expression in establishing the present government. They do not say that they *accede* to a league, but they declare that they *ordain* and *establish* a Constitution. Such are the very words of the instrument itself; and in all the States, without an exception, the language used by their conventions was, that they "*ratified the Constitution*;" some of them employing the addi-

tional words, "assented to" and "adopted," but all of them "ratifying."

There is more importance than may, at first sight, appear, in the introduction of this new word by the honorable mover of these resolutions. Its adoption and use are indispensable to maintain those premises, from which his main conclusion is to be afterward drawn. But before showing that, allow me to remark, that this phraseology tends to keep out of sight the just view of a previous political history, as well as to suggest wrong ideas as to what was actually done when the present Constitution was agreed to. In 1789, and before this Constitution was adopted, the United States had already been in a union, more or less close, for fifteen years. At least as far back as the meeting of the first Congress, in 1774, they had been in some measure, and for some national purposes, united together. Before the Confederation of 1781, they had declared independence jointly, and had carried on the war jointly, both by sea and land; and this not as separate States, but as one people. When, therefore, they formed that Confederation, and adopted its articles as articles of perpetual union, they did not come together for the first time; and therefore they did not speak of the States as *acceding* to the Confederation, although it was a league, and nothing but a league, and rested on nothing but plighted faith for its performance. Yet, even then, the States were not strangers to each other; there was a bond of union already subsisting between them; they were associated, united States; and the object of the Confederation was to make a stronger and better bond of union. Their representatives deliberated together on these proposed articles of Confederation, and, being authorized by their respective States, finally "*ratified and confirmed*" them. Inasmuch as they were already in union, they did not speak of *acceding* to the new articles of Confederation, but of *ratifying and confirming* them; and this language was not used inadvertently, because, in the same instrument, *accession* is used in its proper sense, when applied to Canada, which was altogether a stranger to the existing union. "Canada," says the eleventh article, "*acceding* to this Confederation, and joining in the measures of the United States, shall be admitted into the Union."

Having thus used the terms *ratify* and *confirm*, even in regard to the old Confederation, it would have been strange indeed if the people of the United States, after its formation, and when they came to establish the present Constitution, had spoken of the States, or the people of the States, as *acceding* to this Constitution. Such language would have been ill-suited to the occasion. It would have implied an existing separation or disunion among the States, such as never has existed since 1774. No such language, therefore, was used. The language actually employed is, *adopt, ratify, ordain, establish*.

Therefore, Sir, since any State, before she can prove her right to dissolve the Union, must show her authority to undo what has been done, no State is at liberty to *secede* on the ground that she

and other States have done nothing but *accede*. She must show that she has a right to *reverse* what has been *ordained*, to *unsettle* and *overthrow* what has been *established*, to *reject* what the people have *adopted*, and to *break up* what they have *ratified*; because these are the terms which express the transactions which have actually taken place. In other words, she must show her right to make a revolution.

If, Mr. President, in drawing these resolutions, the honorable member had confined himself to the use of constitutional language, there would have been a wide and awful *hiatus* between his premises and his conclusion. Leaving out the two words *compact* and *accession*, which are not constitutional modes of expression, and stating the matter precisely as the truth is, his first resolution would have affirmed that *the people of the several States ratified this Constitution or form of government*. These are the very words of South Carolina herself, in her act of ratification. Let, then, his first resolution tell the exact truth; let it state the fact precisely as it exists; let it say that the people of the several States ratified a constitution, or form of government, and then, Sir, what will become of his inference in his second resolution, which is in these words, viz.: "that, as in all other cases of compact among sovereign parties, each has an equal right to judge for itself, as well of the infraction as of the mode and measure of redress?" It is obvious, is it not, Sir, that this conclusion requires for its support quite other premises: it requires premises which speak of *accession* and of *compact* between sovereign powers; and, without such premises, it is altogether unmeaning.

Mr. President, if the honorable member will truly state what the people did in forming this Constitution, and then state what they must do if they would now undo what they then did, he will unavoidably state a case of revolution. Let us see if it be not so. He must state, in the first place, that the people of the several States adopted and ratified this Constitution, or form of government; and, in the next place, he must state that they have a right to undo this; that is to say, that they have a right to discard the form of government which they have adopted, and to break up the Constitution which they have ratified. Now, Sir, this is neither more nor less than saying that they have a right to make a revolution. To reject an established government, to break up a political constitution, is revolution.

I deny that any man can state accurately what was done by the people, in establishing the present Constitution, and then state accurately what the people, or any part of them, must now do to get rid of its obligations, without stating an undeniable case of the overthrow of government. I admit, of course, that the people may, if they choose, overthrow the government. But, then, that is revolution. The doctrine now contended for is, that, by *nullification* or *secession*, the obligations and authority of the government may be set aside, or rejected, without revolution. But that is what I deny: and what I say is, that no man can state the case with

historical accuracy, and in constitutional language, without showing that the honorable gentleman's right, as asserted in his conclusion, is a revolutionary right merely; that it does not and can not exist under the Constitution, but can come into existence only when the Constitution is overthrown. This is the reason, Sir, which makes it necessary to abandon the use of constitutional language for a new vocabulary, and to substitute, in the place of plain historical facts, a series of assumptions. This is the reason why it is necessary to give new names to things, to speak of the Constitution, not as a constitution, but as a compact, and of the ratifications by the people, not as ratifications, but as acts of accession.

Sir, I intend to hold the gentleman to the written record. In the discussion of a constitutional question, I intend to impose upon him the restraints of constitutional language. The people have ordained a Constitution; can they reject it without revolution? They have established a form of government; can they overthrow it without revolution?

These are the true questions.

Allow me now, Mr. President, to inquire further into the extent of the propositions contained in the resolutions and their necessary consequences.

Where sovereign communities are parties, there is no essential difference between a compact, a confederation, and a league. They all equally rest on the plighted faith of the sovereign party. A league or confederacy is but a subsisting or continuing treaty.

The gentleman's resolutions, then, affirm, in effect, that these twenty-four United States are held together only by a subsisting treaty, resting for its fulfillment and continuance on no inherent power of its own, but on the plighted faith of each State; or, in other words, that our Union is but a league; and, as a consequence from this proposition, they further affirm that, as sovereigns are subject to no superior power, the States must judge, each for itself, of any alleged violation of the league; and, if such violation be supposed to have occurred, each may adopt any mode or measure of redress which it shall think proper.

Other consequences naturally follow, too, from the main proposition. If a league between sovereign powers have no limitation as to the time of its duration, and contain nothing making it perpetual, it subsists only during the good pleasure of the parties, although no violation be complained of. If, in the opinion of either party, it be violated, such party may say that he will no longer fulfill its obligations on his part, but will consider the whole league or compact at an end, although it might be one of its stipulations that it should be perpetual. Upon this principle, the Congress of the United States, in 1798, declared null and void the treaty of alliance between the United States and France, though it professed to be a perpetual alliance.

If the violation of the league be accompanied with serious injuries, the suffering party, being sole judge of his own mode and measure of redress, has a right to indemnify himself by reprisals

on the offending members of the league; and reprisals, if the circumstances of the case require it, may be followed by direct, avowed, and public war.

The necessary import of the resolution, therefore, is, that the United States are connected only by a league; that it is in the good pleasure of every State to decide how long she will choose to remain a member of this league; that any State may determine the extent of her own obligations under it, and accept or reject what shall be decided by the whole; that she may also determine whether her rights have been violated, what is the extent of the injury done her, and what mode and measure of redress her wrongs may make it fit and expedient for her to adopt. The result of the whole is, that any State may secede at pleasure; that any State may resist a law which she herself may choose to say exceeds the power of Congress; and that, as a sovereign power, she may redress her own grievances, by her own arm, at her own discretion. She may make reprisals; she may cruise against the property of other members of the league; she may authorize captures and make open war.

If, Sir, this be our political condition, it is time the people of the United States understood it. Let us look for a moment to the practical consequences of these opinions. One State, holding an embargo law unconstitutional, may declare her opinion, and withdraw from the Union. *She* secedes. Another, forming and expressing the same judgment on a law laying duties on imports, may withdraw also. *She* secedes. And as, in her opinion, money has been taken out of the pockets of her citizens illegally, under pretense of this law, and as she has power to redress their wrongs, she may demand satisfaction; and, if refused, she may take it with the strong hand. The gentleman has himself pronounced the collection of duties, under existing laws, to be nothing but robbery. Robbers, of course, may be rightfully dispossessed of the fruits of their flagitious crimes; and, therefore, reprisals, impositions on the commerce of other States, foreign alliances against them, or open war, are all modes of redress justly open to the discretion and choice of South Carolina; for she is to judge of her own rights, and to seek satisfaction for her own wrongs, in her own way.

But, Sir, a *third* State is of opinion, not only that these laws of imposts are constitutional, but that it is the absolute duty of Congress to pass and maintain such laws; and that, by omitting to pass and maintain them, its constitutional obligations would be grossly disregarded. She herself relinquished the power of protection, she might allege, and allege truly, and gave it up to Congress, on the faith that Congress would exercise it. If Congress now refuse to exercise it, Congress does, as she may insist, break the condition of the grant, and thus manifestly violate the Constitution; and for this violation of the Constitution, *she* may threaten to secede also. Virginia may secede, and hold the fortresses in the Chesapeake. The Western States may secede, and take to their own use the public lands. Louisiana may secede if she choose,

form a foreign alliance, and hold the mouth of the Mississippi. If one State may secede, ten may do so, twenty may do so, twenty-three may do so. Sir, as these secessions go on, one after another, what is to constitute the United States? Whose will be the army? Whose the navy? Who will pay the debts? Who fulfill the public treaties? Who perform the constitutional guarantees? Who govern this District and the Territories? Who retain the public property?

Mr. President, every man must see that these are all questions which can arise only *after a revolution*. They presuppose the breaking up of the government. While the Constitution lasts, they are repressed; they spring up to annoy and startle us only from its grave.

The Constitution does not provide for events which must be preceded by its own destruction. SECESSION, therefore, since it must bring these consequences with it, is REVOLUTIONARY, and NULLIFICATION is equally REVOLUTIONARY. What is revolution? Why, Sir, that is revolution which overturns, or controls, or successfully resists the existing public authority; that which arrests the exercise of the supreme power; that which introduces a new paramount authority into the rule of the State. Now, Sir, this is the precise object of nullification. It attempts to supersede the supreme legislative authority. It arrests the arm of the executive magistrate. It interrupts the exercise of the accustomed judicial power. Under the name of an ordinance, it declares null and void, within the State, all the revenue laws of the United States. Is not this revolutionary? Sir, so soon as this ordinance shall be carried into effect, a *revolution* will have commenced in South Carolina. She will have thrown off the authority to which her citizens have heretofore been subject. She will have declared her own opinions and her own will to be above the laws and above the power of those who are intrusted with their administration. If she makes good these declarations, she is revolutionized. As to her, it is as distinctly a change of the supreme power, as the American Revolution of 1776. That revolution did not subvert government in all its forms. It did not subvert local laws and municipal administrations. It only threw off the dominion of a power claiming to be superior, and to have a right, in many important respects, to exercise legislative authority. Thinking this authority to have been usurped or abused, the American Colonies, now the United States, bade it defiance, and freed themselves from it by means of a revolution. But that revolution left them with their own municipal laws still, and the forms of local government. If Carolina now shall effectually resist the laws of Congress; if she shall be her own judge, take the remedy into her own hands, obey the laws of the Union when she pleases and disobey them when she pleases, she will relieve herself from a paramount power as distinctly as the American Colonies did the same thing in 1776. In other words, she will achieve, as to herself, a revolution.

But, Sir, while practical nullification in South Carolina would be, as to herself, actual and distinct revolution, its necessary ten-

dency must also be to spread revolution, and to break up the Constitution, as to all the other States. It strikes a deadly blow at the vital principle of the whole Union. To allow State resistance to the laws of Congress to be rightful and proper, to admit nullification in some States, and yet not expect to see a dismemberment of the entire government, appears to me the wildest illusion and the most extravagant folly. The gentleman seems not conscious of the direction or the rapidity of his own course. The current of his opinions sweeps him along, he knows not whither. To begin with nullification, with the avowed intent, nevertheless, not to proceed to secession, dismemberment, and general revolution, is as if one were to take the plunge of Niagara, and cry out that he would stop half way down. In the one case, as in the other, the rash adventurer must go to the bottom of the dark abyss below, were it not that that abyss has no discovered bottom.

Nullification, if successful, arrests the power of the law, absolves citizens from their duty, subverts the foundation both of protection and obedience, dispenses with oaths and obligations of allegiance, and elevates another authority to supreme command. Is not this revolution? And it raises to supreme command four-and-twenty distinct powers, each professing to be under a general government, and yet each setting its laws at defiance at pleasure. Is not this anarchy, as well as revolution? Sir, the Constitution of the United States was received as a whole, and for the whole country. If it can not stand altogether, it can not stand in parts; and if the laws can not be executed everywhere, they can not long be executed anywhere. The gentleman very well knows that all duties and imposts must be uniform throughout the country. He knows that we can not have one rule or one law for South Carolina, and another for other States. He must see, therefore, and does see, and every man sees, that the only alternative is a repeal of the laws throughout the whole Union, or their execution in Carolina as well as elsewhere. And this repeal is demanded because a single State interposes her veto and threatens resistance! The result of the gentleman's opinion, or rather the very text of his doctrine, is, that no act of Congress can bind all the States, the constitutionality of which is not admitted by all; or, in other words, that no single State is bound, against its own dissent, by a law of imposts. This is precisely the evil experienced under the old Confederation, and for remedy of which this Constitution was adopted. The leading object in establishing this government, an object forced on the country by the condition of the times and the absolute necessity of the law, was to give to Congress power to lay and collect imposts *without the consent of particular States*. The Revolutionary debt remained unpaid; the national treasury was bankrupt; the country was destitute of credit; Congress issued its requisitions on the States, and the States neglected them; there was no power of coercion but war; Congress could not lay imposts, or other taxes, by its own authority; the whole general government, therefore, was little more than a name. The Articles

of Confederation, as to purposes of revenue and finance, were nearly a dead letter. The country sought to escape from this condition, at once feeble and disgraceful, by constituting a government which should have power, of itself, to lay duties and taxes, and to pay the public debt, and provide for the general welfare; and to lay these duties and taxes in all the States, without asking the consent of the State governments. This was the very power on which the new Constitution was to depend for all its ability to do good; and without it, it can be no government, now or at any time. Yet, Sir, it is precisely against this power, so absolutely indispensable to the very being of the government, that South Carolina directs her ordinance. She attacks the government in its authority to raise revenue, the very mainspring of the whole system; and if she succeed, every movement of that system must inevitably cease. It is of no avail that she declares that she does not resist the law as a revenue law, but as a law for protecting manufactures. It is a revenue law; it is the very law by force of which the revenue is collected; if it be arrested in any State, the revenue ceases in that State; it is, in a word, the sole reliance of the government for the means of maintaining itself and performing its duties.

Mr. President, the alleged right of a State to decide constitutional questions for herself necessarily leads to force, because other States must have the same right, and because different States will decide differently; and when these questions arise between States, if there be no superior power, they can be decided only by the law of force. On entering into the Union, the people of each State gave up a part of their own power to make laws for themselves, in consideration that, as to common objects, they should have a part in making laws for other States. In other words, the people of all the States agreed to create a common government, to be conducted by common counsels. Pennsylvania, for example, yielded the right of laying imposts in her own ports, in consideration that the new government, in which she was to have a share, should possess the power of laying imposts on all the States. If South Carolina now refuses to submit to this power, she breaks the condition on which other States entered into the Union. She partakes of the common counsels, and therein assists to bind others, while she refuses to be bound herself. It makes no difference in the case whether she does all this without reason or pretext, or whether she sets up as a reason that, in her judgment, the acts complained of are unconstitutional. In the judgment of other States, they are not so. It is nothing to them that she offers some reason or some apology for her conduct, if it be one which they do not admit. It is not to be expected that any State will violate her duty without some plausible pretext. That would be too rash a defiance of the opinion of mankind. But if it be a pretext which lies in her own breast; if it be no more than an opinion which she says she has formed, how can other States be satisfied with this? How can they allow her to be judge of her own obligations?

Or, if she may judge of her obligations, may they not judge of their rights also? May not the twenty-three entertain an opinion as well as the twenty-fourth? And if it be their right, in their own opinion, as expressed in the common council, to enforce the law against her, how is she to say that her right and her opinion are to be everything, and their right and their opinion nothing?

Mr. President, if we are to receive the Constitution as the text, and then to lay down in its margin the contradictory commentaries which have been, and which may be made by different States, the whole page would be a polyglot indeed. It would speak with as many tongues as the builders of Babel, and in dialects as much confused, and mutually as unintelligible. The very instance now before us presents a practical illustration. The law of the last session is declared unconstitutional in South Carolina, and obedience to it is refused. In other States it is admitted to be strictly constitutional. You walk over the limit of its authority, therefore, when you pass a State line. On one side it is law, on the other side a nullity; and yet it is passed by a common government, having the same authority in all the States.

Such, Sir, are the inevitable results of this doctrine. Beginning with the original error, that the Constitution of the United States is nothing but a compact between sovereign States; asserting, in the next step, that each State has a right to be its own sole judge of the extent of its obligations, and consequently of the constitutionality of the laws of Congress; and in the next, that it may oppose whatever it sees fit to declare unconstitutional, and that it decides for itself on the mode and measure of redress—the argument arrives at once at the conclusion, that what a State dissents from, it may nullify; what it opposes, it may oppose by force; what it decides for itself, it may execute by its own power; and that, in short, it is itself supreme over the legislation of Congress, and supreme over the decisions of the national judicature; supreme over the Constitution of the country; supreme over the supreme law of the land. However it seeks to protect itself against these plain inferences, by saying that an unconstitutional law is no law, and that it only opposes such laws as are unconstitutional, yet this does not in the slightest degree vary the result, since it insists on deciding this question for itself; and, in opposition to reason and arguments, in opposition to practice and experience, in opposition to the judgment of others, having an equal right to judge, it says only, “Such is my opinion, and my opinion shall be my law, and I will support it by my own strong hand. I denounce the law; I declare it unconstitutional; that is enough, it shall not be executed. Men in arms are ready to resist its execution. An attempt to enforce it shall cover the land with blood. Elsewhere it may be binding, but here it is trampled under foot.”

This, Sir, is practical nullification.

And now, Sir, against all these theories and opinions, I maintain—

1. That the Constitution of the United States is not a league

confederacy, or compact between the people of the several States in their sovereign capacities; but a government proper, founded on the adoption of the people, and creating direct relations between itself and individuals.

2. That no State authority has power to dissolve these relations; that nothing can dissolve them but revolution; and that, consequently, there can be no such thing as secession without revolution.

3. That there is a supreme law, consisting of the Constitution of the United States, and acts of Congress passed in pursuance of it, and treaties; and that, in cases not capable of assuming the character of a suit in law or equity, Congress must judge of, and finally interpret, this supreme law so often as it has occasion to pass acts of legislation, and in cases capable of assuming, and actually assuming, the character of a suit, the Supreme Court of the United States is the final interpreter.

4. That an attempt by a State to abrogate, annul, or nullify an act of Congress, or to arrest its operation within her limits, on the ground that, in her opinion, such law is unconstitutional, is a direct usurpation on the just powers of the general government, and on the equal rights of other States; a plain violation of the Constitution, and a proceeding essentially revolutionary in its character and tendency.

Whether the Constitution be a compact between States in their sovereign capacities, is a question which must be mainly argued from what is contained in the instrument itself. We all agree that it is an instrument which has been in some way clothed with power. We all admit that it speaks with authority. The first question then is, what does it say of itself? What does it purport to be? Does it style itself a league, confederacy, or compact between sovereign States? It is to be remembered, Sir, that the Constitution began to speak only after its adoption. Until it was ratified by nine States, it was but a proposal, the mere draught of an instrument. It was like a deed drawn, but not executed. The Convention had framed it; sent it to Congress, then sitting under the Confederation; Congress had transmitted it to the State legislatures; and by these last it was laid before the convention of the people in the several States. All this while it was inoperative paper. It had received no stamp of authority, no sanction; it spoke no language. But when ratified by the people in their respective conventions, then it had a voice, and spoke authentically. Every word in it had then received the sanction of the popular will, and was to be received as the expression of that will. What the Constitution says of itself, therefore, is as conclusive as what it says on any other point. Does it call itself a "compact?" Certainly not. It uses the word *compact* but once, and that is when it declares that the States shall enter into no compact. Does it call itself a "league," a "confederacy," a "subsisting treaty between the States?" Certainly not. There is not a particle of such language in all its pages. But it declares itself a CONSTITUTION. What is a *con-*

stitution? Certainly not a league, compact, or confederacy, but a *fundamental law*. The fundamental regulation which determines the manner in which the public authority is to be executed, is what forms the *constitution* of a State. Those primary rules which concern the body itself, and the very being of the political society, the form of government, and the manner in which power is to be exercised—all, in a word, which form together the *constitution of a State*—these are the fundamental laws. This, Sir, is the language of the public writers. But we do not need to be informed, in this country, what a *constitution* is? Is it not an idea perfectly familiar, definite, and well settled. We are at no loss to understand what is meant by the constitution of one of the States; and the Constitution of the United States speaks of itself as being an instrument of the same nature. It says, this *Constitution* shall be the law of the land, anything in the State *constitution* to the contrary notwithstanding. And it speaks of itself, too, in plain contradistinction from a confederation; for it says that all debts contracted, and all engagements entered into, by the United States, shall be as valid under this *Constitution* as under the *Confederation*. It does not say as valid under this *compact*, or this league, or this confederation, as under the former confederation, but as valid under this *Constitution*.

This, then, Sir, is declared to be a *constitution*. A constitution is the fundamental law of the State; and this is expressly declared to be the supreme law. It is as if the people had said, "We prescribe this fundamental law," or "this supreme law," for they do say that they establish this Constitution, and that it shall be the supreme law. They say that they *ordain and establish* it. Now, Sir, what is the common application of these words? We do not speak of *ordaining* leagues and compacts. If this was intended to be a compact or league, and the States to be parties to it, why was it not so said? Why is there found no one expression in the whole instrument indicating such an intent? The old Confederation was expressly called a *league*; and into this league it was declared that the States, as States, severally entered. Why was not similar language used in the Constitution, if a similar intention had existed? Why was it not said, "the States enter into this new league," "the States form this new confederation," or "the States agree to this new compact?" Or why was it not said, in the language of the gentleman's resolution, that the people of the several States acceded to this compact in their sovereign capacities? What reason is there for supposing that the framers of the Constitution rejected expressions appropriate to their own meaning, and adopted others wholly at war with that meaning?

Again, Sir, the Constitution speaks of that political system which is established as "the government of the United States." Is it not doing strange violence to language to call a league or a compact between sovereign powers a *government*? The government of a State is that organization in which the political power resides. It is the political being created by the constitution or fundamental

law. The broad and clear difference between a government and a league or compact is, that a government is a body politic; it has a will of its own; and it possesses powers and faculties to execute its own purposes. Every compact looks to some power to enforce its stipulations. Even in a compact between sovereign communities, there always exists this ultimate reference to a power to insure its execution; although, in such case, this power is but the force of one party against the force of another; that is to say, the power of war. But a *government* executes its decisions by its own supreme authority. Its use of force in compelling obedience to its own enactments is not war. It contemplates no opposing party having a right of resistance. It rests on its own power to enforce its own will; and when it ceases to possess this power, it is no longer a government.

Mr. President, I concur so generally in the very able speech of the gentleman from Virginia near me, that it is not without diffidence and regret that I venture to differ with him on any point. His opinions, Sir, are redolent of the doctrines of a very distinguished school, for which I have the highest regard, of whose doctrines I can say, what I can also say of the gentleman's speech, that, while I concur in the results, I must be permitted to hesitate about some of the premises. I do not agree that the Constitution is a compact between States in their sovereign capacities. I do not agree, that, in strictness of language, it is a compact at all. But I do agree that it is founded on consent or agreement, or on compact, if the gentleman prefers that word, and means no more by it than voluntary consent or agreement. The Constitution, Sir, is not a contract, but the result of a contract; meaning by contract no more than assent. Founded on consent, it is a government proper. Adopted by the agreement of the people of the United States, when adopted, it has become a Constitution. The people have agreed to make a Constitution; but when made, that Constitution becomes what its name imports. It is no longer a mere agreement. Our laws, Sir, have their foundation in the agreement or consent of the two Houses of Congress. We say, habitually, that one House proposes a bill, and the other agrees to it; but the result of this agreement is not a compact, but a law. The law, the statute, is not the agreement, but something created by the agreement; and something which, when created, has a new character, and acts by its own authority. So the Constitution of the United States, founded in or on the consent of the people, may be said to rest on compact or consent; but it is not itself the compact, but its result. When the people agree to erect a government, and actually erect it, the thing is done, and the agreement is at an end. The compact is executed, and the end designed by it attained. Henceforth, the fruit of the agreement exists, but the agreement itself is merged in its own accomplishment; since there can be no longer a subsisting agreement or compact *to form* a constitution or government, after that constitution or government has been actually formed and established.

It appears to me, Mr. President, that the plainest account of the establishment of this government presents the most just and philosophical view of its foundation. The people of the several States had their separate State governments; and between the States there also existed a Confederation. With that condition of things the people were not satisfied, as the Confederation had been found not to fulfill its intended objects. It was *proposed*, therefore, to erect a new, common government, which should possess certain definite powers, such as regarded the prosperity of the people of all the States, and to be formed upon the general model of American constitutions. This proposal was assented to, and an instrument was presented to the people of the several States for their consideration. They approved it, and agreed to adopt it, as a Constitution. They executed that agreement; they adopted the Constitution as a Constitution, and henceforth it must stand as a Constitution until it shall be altogether destroyed. Now, Sir, is not this the truth of the whole matter? And is not all that we have heard of compact between sovereign States the mere effect of a theoretical and artificial mode of reasoning upon the subject? A mode of reasoning which disregards plain facts for the sake of hypothesis?

Mr. President, the nature of sovereignty or sovereign power has been extensively discussed by gentlemen on this occasion, as it generally is when the origin of our government is debated. But I confess myself not entirely satisfied with arguments and illustrations drawn from that topic. The sovereignty of government is an idea belonging to the other side of the Atlantic. No such thing is known in North America. Our governments are all limited. In Europe, sovereignty is of feudal origin, and imports no more than the state of the sovereign. It comprises his rights, duties, exemptions, prerogatives, and powers. But with us, all power is with the people. They alone are sovereign; and they erect what governments they please, and confer on them such power as they please. None of these governments is sovereign, in the European sense of the word, all being restrained by written constitutions. It seems to me, therefore, that we only perplex ourselves when we attempt to explain the relations existing between the general government and the several State governments, according to those ideas of sovereignty which prevail under systems essentially different from our own.

But, Sir, to return to the Constitution itself; let me inquire what it relies upon for its own continuance and support. I hear it often suggested that the States, by refusing to appoint Senators and Electors, might bring this government to an end. Perhaps that is true; but the same may be said of the State governments themselves. Suppose the Legislature of a State, having power to appoint the governor and the judges, should omit that duty, would not the State government remain unorganized? No doubt all elective governments may be broken up by a general abandonment, on the part of those intrusted with political powers, of their appropriate duties. But one popular government has, in this respect, as

much security as another. The maintenance of this Constitution does not depend on the plighted faith of the States, as States, to support it; and this again shows that it is not a league. It relies on individual duty and obligations.

The Constitution of the United States creates direct relations between this government and individuals. This government may punish individuals for treason, and all other crimes in the code, when committed against the United States. It has power, also, to tax individuals, in any mode, and to any extent; and it possesses the further power of demanding from individuals military service. Nothing certainly can more clearly distinguish a government from a confederation of States than the possession of these powers. No closer relations can exist between individuals and any government.

On the other hand, the government owes high and solemn duties to every citizen of the country. It is bound to protect him in his most important rights and interests. It makes war for his protection, and no other government in the country can make war. It makes peace for his protection, and no other government can make peace. It maintains armies and navies for his defense and security, and no other government is allowed to maintain them. He goes abroad beneath its flag, and carries over all the earth a national character, imparted to him by this government, and which no other government can impart. In whatever relates to war, to peace, to commerce, he knows no other government. All these, Sir, are connections as dear and as sacred as can bind individuals to any government on earth. It is not, therefore, a compact between States, but a government proper, operating directly upon individuals, yielding to them protection on the one hand, and demanding from them obedience on the other.

There is no language in the whole Constitution applicable to a confederation of States. If the States be parties, as States, what are their rights, and what their respective covenants and stipulations? And where are their rights, covenants, and stipulations expressed? The States engage for nothing, they promise nothing. In the articles of Confederation, they did make promises, and did enter into engagements, and did plight the faith of each State for their fulfillment; but in the Constitution there is nothing of that kind. The reason is, that, in the Constitution, it is the *people* who speak, and not the States. The people ordain the Constitution, and therein address themselves to the States, and to the Legislatures of the States, in the language of injunction and prohibition. The Constitution utters its behests in the name and by the authority of the people, and it does not exact from States any plighted public faith to maintain it. On the contrary, it makes its own preservation depend on individual duty and individual obligation. Sir, the States can not omit to appoint Senators and Electors. It is not a matter resting in State discretion or State pleasure. The Constitution has taken better care of its own preservation. It lays its hand on individual conscience and individual duty. It incapa-

citates any man to sit in the legislature of a State, who shall not first have taken his solemn oath to support the Constitution of the United States. From the obligation of this oath no State power can discharge him. All the members of all the State legislatures are as religiously bound to support the Constitution of the United States as they are to support their own State Constitution. Nay, Sir, they are as solemnly sworn to support it as we ourselves are, who are members of Congress.

No member of a State legislature can refuse to proceed, at the proper time, to elect Senators to Congress, or to provide for the choice of Electors of President and Vice-President, any more than the members of this Senate can refuse, when the appointed day arrives, to meet the members of the other house, to count the votes of those officers, and ascertain who are chosen. In both cases the duty binds, and with equal strength, the conscience of the individual member, and it is imposed on all by an oath in the same words. Let it then never be said, Sir, that it is a matter of discretion with the States whether they will continue the government, or break it up by refusing to appoint Senators and to elect Electors. They have no discretion in the matter. The members of their legislatures can not avoid doing either, so often as the time arrives, without a direct violation of their duty and their oaths; such a violation as would break up any other government.

Looking still further to the provisions of the Constitution itself, in order to learn its true character, we find its great apparent purpose to be, to unite the people of all the States under one general government, for certain definite objects, and, to the extent of this union, to restrain the separate authority of the States. Congress only can declare war; therefore, when one State is at war with a foreign nation, all must be at war. The President and the Senate can only make peace; when peace is made for one State, therefore, it must be made for all.

Can anything be conceived more preposterous than that any State should have power to nullify the proceedings of the general government respecting peace and war? When war is declared by a law of Congress, can a single State nullify that law, and remain at peace? And yet she may nullify that law as well as any other. If the President and Senate make peace, may one State, nevertheless, continue the war? And yet, if she can nullify a law, she may quite as well nullify a treaty.

The truth is, Mr. President, and no ingenuity of argument, no subtlety of distinction can evade it, that as to certain purposes, the people of the United States are one people. They are one in making war, and one in making peace; they are one in regulating commerce, and one in laying duties of imposts. The very end and purpose of the Constitution was, to make them one people in these particulars; and it has effectually accomplished its object. All this is apparent on the face of the Constitution itself. I have already said, Sir, that to obtain a power of direct legislation over the people, especially in regard to imposts, was always prominent

as a reason for getting rid of the Confederation, and forming a new Constitution. Among innumerable proofs of this, before the assembling of the Convention, allow me to refer only to the report of the committee of the old Congress, July, 1785.

But, Sir, let us go to the actual formation of the Constitution; let us open the journal of the Convention itself, and we shall see that the very first resolution which the Convention adopted was, "THAT A NATIONAL GOVERNMENT OUGHT TO BE ESTABLISHED, CONSISTING OF A SUPREME LEGISLATURE, JUDICIARY, AND EXECUTIVE."

This itself completely negatives all idea of league, and compact, and confederation. Terms could not be chosen more fit to express an intention to establish a national government, and to banish forever all notion of a compact between sovereign States.

This resolution was adopted on the 30th of May, 1787. Afterward, the style was altered, and, instead of being called a national government, it was called the government of the United States; but the substance of this resolution was retained, and was at the head of that list of resolutions which was afterward sent to the committee who were to frame the instrument.

It is true, there were gentlemen in the Convention who were for retaining the Confederation, and amending its articles; but the majority were against this, and were for a national government. Mr. Patterson's propositions, which were for continuing the Articles of Confederation with additional powers, were submitted to the Convention on the 15th of June, and referred to the committee of the whole. The resolution forming the basis of a national government, which had once been agreed to in the committee of the whole, and reported, were recommended to the same committee, on the same day. The Convention, then, in committee of the whole, on the 19th day of June, had both these plans before them; that is to say, the plan of a confederacy, or compact, between States, and the plan of a national government. Both these plans were considered and debated, and the committee reported, "That they do not agree to the propositions offered by the Honorable Mr. Patterson, but that they again submit the resolutions formerly reported." If, Sir, any historical fact in the world be plain and undeniable, it is that the Convention deliberated on the expediency of continuing the Confederation, with some amendments, and rejected that scheme, and adopted the plan of a national government, with a legislature, an executive, and a judiciary of its own. They were asked to preserve the league; they rejected the proposition. They were asked to continue the existing compact between States; they rejected it. They rejected compact, league, and confederation, and set themselves about framing the constitution of a national government, and they accomplished what they undertook.

If men will open their eyes fairly to the lights of history, it is impossible to be deceived on this point. The great object was to supersede the Confederation by a regular government; because, under the Confederation, Congress had power only to make requisitions on States, and if States declined compliance, as they did,

there was no remedy but war against such delinquent States. It would seem, from Mr. Jefferson's correspondence, in 1786 and 1787, that he was of opinion that even this remedy ought to be tried. "There will be no money in the treasury," said he, "till the confederacy shows its teeth;" and he suggests that a single frigate would soon levy, on the commerce of a delinquent State, the deficiency of its contribution. But this would be war; and it was evident that a confederacy could not long hold together, which should be at war with its members. The Constitution was adopted to avoid this necessity. It was adopted that there might be a government which should act directly on individuals, without borrowing aid from the State governments. This is clear as light itself on the very face of the provisions of the Constitution, and its whole history tends to the same conclusion. Its framers gave this very reason for their work in the most distinct terms. Allow me to quote but one or two proofs, out of hundreds. That State, so small in territory, but so distinguished for learning and talent, Connecticut, had sent to the general Convention, among other members, Samuel Johnston and Oliver Ellsworth. The Constitution having been framed, it was submitted to a convention of the people of Connecticut for ratification on the part of that State, and Mr. Johnston and Mr. Ellsworth were also members of this convention. On the first day of the debates, being called on to explain the reasons which led the Convention at Philadelphia to recommend such a Constitution, after showing the insufficiency of the existing confederacy, inasmuch as it applied to States, as States, Mr. Johnston proceeded to say:

"The Convention saw this imperfection in attempting to legislate for States in their political capacity, that the coercion of law can be exercised by nothing but a military force. They have, therefore, gone upon entirely new ground. They have formed one new nation out of the individual States. The Constitution vests in the general legislature a power to make laws in matters of national concern; to appoint judges to decide upon these laws; and to appoint officers to carry them into execution. This excludes the idea of an armed force. The power which is to enforce these laws is to be a legal power, vested in proper magistrates. The force which is to be employed is the energy of law; and this force is to operate only upon individuals who fail in their duty to their country. This is the peculiar glory of the Constitution, that it depends upon the mild and equal energy of the magistracy for the execution of the laws."

In the further course of the debate, Mr. Ellsworth said—

"In republics it is a fundamental principle that the majority govern, and that the minority comply with the general voice. How contrary, then, to republican principles, how humiliating, is our present situation! A single State can rise up and put a *veto* upon the most important public measures. We have seen this actually take place; a single State has controlled the general voice of the Union; a minority, a very small minority, has governed us. So

far is this from being consistent with republican principles, that it is, in effect, the worst species of monarchy.

"Hence we see how necessary for the Union is a coercive principle. No man pretends the contrary. We all see and feel this necessity. The only question is, shall it be a coercion of law, or a coercion of arms? There is no other possible alternative. Where will those who oppose a coercion of law come out? Where will they end? A necessary consequence of their principle is a war of the States, one against another. I am for coercion by law; that coercion which acts only upon delinquent individuals. This Constitution does not attempt to coerce sovereign bodies, States, in their political capacities. No coercion is applicable to such bodies, but that of an armed force. If we should attempt to execute the laws of the Union by sending an armed force against a delinquent State, it would involve the good and bad, the innocent and guilty, in the same calamity. But this legal coercion singles out the guilty individual, and punishes him for breaking the laws of the Union."

Indeed, Sir, if we look to all cotemporary history, to the numbers of the *Federalist*, to the debates in conventions, to the publications of friends and foes, they all agree that a change had been made from a confederacy of States to a different system; they all agree that the Convention had formed a Constitution for a national government. With this result some were satisfied and some were dissatisfied; but all admitted that the thing had been done. In none of these various productions and publications did any one intimate that the new Constitution was but another compact between States in their sovereign capacities. I do not find such an opinion advanced in a single instance. Everywhere the people were told that the old Confederation was to be abandoned, and a new system to be tried; that a proper government was proposed, to be founded in the name of the people, and to have a regular organization of its own. Everywhere the people were told that it was to be a government with direct powers to make laws over individuals, and to lay taxes and imposts without the consent of the States. Everywhere it was understood to be a popular Constitution. It came to the people for their adoption, and was to rest on the same deep foundations as the State constitutions themselves. Its most distinguished advocates, who had been themselves members of the Convention, declared that the very object of submitting the Constitution to the people was, to preclude the possibility of its being regarded as a mere compact. "However gross a heresy," say the writers of the *Federalist*, "it may be to maintain that a party to a compact has a right to revoke that compact, the doctrine itself has had respectable advocates. The possibility of a question of this nature proves the necessity of laying the foundations of our national government deeper than in the mere sanction of delegated authority. The fabric of American Empire ought to rest on the solid basis of THE CONSENT OF THE PEOPLE."

Such is the language, Sir, addressed to the people, while they yet had the Constitution under consideration. The powers conferred

on the new government were perfectly well understood to be conferred, not by any State, or the people of any State, but by the people of the United States. Virginia is more explicit, perhaps, in this particular than any other State. Her convention, assembled to ratify the Constitution, "in the name and behalf of the people of Virginia, declare and make known, that the powers granted under the Constitution, *being derived from the people of the United States*, may be resumed by them whenever the same shall be perverted to their injury or oppression.

Is this language which describes the formation of a compact between States, or language describing the grant of powers to a new government, by the whole people of the United States?

Among all the other ratifications, there is not one which speaks of the Constitution as a compact between States. Those of Massachusetts and New Hampshire express the transaction, in my opinion, with sufficient accuracy. They recognize the Divine goodness "in affording THE PEOPLE OF THE UNITED STATES an opportunity of entering into an explicit and solemn compact with each other, *by assenting to and ratifying a new Constitution.*" You will observe, Sir, that it is the PEOPLE, and not the States, who have entered into this compact; and it is the PEOPLE of all the United States. These conventions, by this form of expression, meant merely to say, that the people of the United States had, by the blessing of Providence, enjoyed the opportunities of establishing a new Constitution, *founded in the consent of the people.* This consent of the people has been called, by European writers, the *social compact*; and, in conformity to this common mode of expression, these conventions speak of that assent, on which the new Constitution was to rest, as an explicit and solemn compact, not which the States had entered into with each other, but which the *people* of the United States had entered into.

Finally, Sir, how can any man get over the words of the Constitution itself?—"WE, THE PEOPLE OF THE UNITED STATES, DO ORDAIN AND ESTABLISH THIS CONSTITUTION." These words must cease to be a part of the Constitution, they must be obliterated from the parchment on which they are written, before any human ingenuity or human argument can remove the popular basis on which that Constitution rests, and turn the instrument into a mere compact between sovereign States.

The second proposition, Sir, which I propose to maintain, is, that no State authority can dissolve the relations subsisting between the government of the United States and individuals; that nothing can dissolve these relations but revolution; and that, therefore, there can be no such thing as *secession* without revolution. All this follows, it seems to me, as a just consequence, if it be first proved that the Constitution of the United States is a government proper, owing protection to individuals, and entitled to their obedience.

The people, Sir, in every State, live under two governments. They owe obedience to both. These governments, though distinct,

are not adverse. Each has its separate sphere, and its peculiar powers and duties. It is not a contest between two sovereigns for the same power, like the wars of the rival houses in England; nor is it a dispute between a government *de facto* and a government *de jure*. It is the case of a division of powers between two governments, made by the people, to whom both are responsible. Neither can dispense with the duty which individuals owe to the other; neither can call itself master of the other; the people are masters of both. The division of power, it is true, is, in a great measure, unknown in Europe. It is the peculiar system of America; and, though new and singular, it is not incomprehensible. The State constitutions are established by the people of the States. This Constitution is established by the people of all the States. How, then, can a State secede? How can a State undo what the whole people have done? How can she absolve her citizens from their obedience to the laws of the United States? How can she annul their obligations and oaths? How can the members of her legislature renounce their own oaths? Sir, secession, as a revolutionary right, is intelligible; as a right to be proclaimed in the midst of civil commotions, and asserted at the head of armies, I can understand it. But as a practical right, existing under the Constitution, and in conformity with its provisions, it seems to me to be nothing but a plain absurdity; for it supposes resistance to government, under the authority of government itself; it supposes dismemberment, without violating the principles of union; it supposes opposition to law, without crime; it supposes the violation of oaths, without responsibility; it supposes the total overthrow of government, without revolution.

The Constitution, Sir, regards itself as perpetual and immortal. It seeks to establish a union among the people of the States, which shall last through all time. Or, if the common fate of things human must be expected at some period to happen to it, yet that catastrophe is not anticipated.

The instrument contains ample provisions for its amendments at all times; none for its abandonment, at any time. It declares that new States may come into the Union, but it does not declare that old States may go out. The Union is not a temporary partnership of States. It is the association of the people, under a constitution of government, uniting their power, joining together their highest interests, cementing their present enjoyments, and blending in one indivisible mass all their hopes for the future. Whatsoever is steadfast in just political principles; whatsoever is permanent in the structure of human society; whatsoever there is which can derive an enduring character from being founded on deep-laid principles of constitutional liberty and on the broad foundations of public will—all these unite to entitle this instrument to be regarded as a permanent constitution of government.

In the next place, Mr. President, I contend that there is a supreme law of the land, consisting of the Constitution, acts of Congress passed in pursuance of it, and the public treaties. This will

not be denied, because such are the very words of the Constitution. But I contend, further, that it rightfully belongs to Congress, and to the courts of the United States, to settle the construction of this supreme law, in doubtful cases. This is denied; and here arises a great practical question: *Who is to construe finally the the Constitution of the United States?* We all agree that the Constitution is the supreme law; but who shall interpret that law? In our system of the division of powers between different governments, controversies will necessarily sometimes arise, respecting the extent of the powers of each. Who shall decide these controversies? Does it rest with the general government, in all or any of its departments, to exercise the office of final interpreter? Or may each of the States, as well as the general government, claim this right of ultimate decision? The practical result of this whole debate turns on this point. The gentleman contends that each State may judge for itself of any alleged violation of the Constitution, and may finally decide for itself, and may execute its own decisions by its own power. All the recent proceedings in South Carolina are founded on this claim of right. Her convention has pronounced the revenue laws of the United States unconstitutional: and this decision she does not allow any authority of the United States to overrule or reverse. Of course she rejects the authority of Congress, because the very object of the ordinance is to reverse the decision of Congress; and she rejects, too, the authority of the courts of the United States, because she expressly prohibits all appeal to those courts. It is in order to sustain this asserted right of being her own judge, that she pronounces the Constitution of the United States to be but a compact, to which she is a party, and a sovereign party. If this be established, then the inference is supposed to follow, that, being sovereign, there is no power to control her decision; and her own judgment on her own compact is, and must be, conclusive.

I have already endeavored, Sir, to point out the practical consequences of this doctrine, and to show how utterly inconsistent it is with all ideas of regular government, and how soon its adoption would involve the whole country in revolution and absolute anarchy. I hope it is easy now to show, Sir, that a doctrine bringing such consequences with it is not well founded; that it has nothing to stand on but theory and assumption; and that it is refuted by plain and express constitutional provisions. I think the government of the United States does possess, in its appropriate departments, the authority of final decision on questions of disputed power. I think it possesses this authority, both by necessary implication and by express grant.

It will not be denied, Sir, that this authority naturally belongs to all governments. They all exercise it from necessity, and as a consequence of the exercise of other powers. The State governments themselves possess it, except in that class of questions which may arise between them and the general government, and in regard to which they have surrendered it, as well by the nature of the case

as by clear constitutional provisions. In other and ordinary cases, whether a particular law be in conformity to the Constitution of the State is a question which the State legislature or the State judiciary must determine. We all know that these questions arise daily in the State governments, and are decided by those governments; and I know no government which does not exercise a similar power.

Upon general principles, then, the government of the United States possesses this authority; and this would hardly be denied were it not that there are other governments. But since there are State governments, and since these, like other governments, ordinarily construe their own powers, if the government of the United States construes its own powers, also, which construction is to prevail in the case of opposite constructions? And again, as in the case now actually before us, the State governments may undertake, not only to construe their own powers, but to decide directly on the extent of the powers of Congress. Congress has passed a law as being within its just powers; South Carolina denies that this law is within its just powers, and insists that she has a right to decide this point, and that her decision is final. How are these questions to be settled?

In my opinion, Sir, even if the Constitution of the United States had made no express provision for such cases, it would yet be difficult to maintain that, in a Constitution existing over four-and-twenty States, with equal authority over all, *one* could claim a right of construing it for the whole. This would seem a manifest impropriety; indeed, an absurdity. If the Constitution is a government existing over all the States, though with limited powers, it necessarily follows that, to the extent of those powers, it must be supreme. If it be not superior to the authority of a particular State, it is not a national government. But as it is a government, as it has a legislative power of its own, and a judicial power co-extensive with the legislative, the inference is irresistible that this government, thus created *by* the whole, and *for* the whole, must have an authority superior to that of the particular government of any one part. Congress is the legislature of all the people of the United States; the judiciary of the general government is the judiciary of all the people of the United States. To hold, therefore, that this legislature and this judiciary are subordinate in authority to the legislature and judiciary of a single State, is doing violence to all common sense, and overturning all established principles. Congress must judge of the extent of its own powers so often as it is called on to exercise them, or it can not act at all; and it must also act independent of State control, or it can not act at all.

The right of State interposition strikes at the very foundation of the legislative powers of Congress. It possesses no effective legislative power, if such right of State interposition exists; because it can pass no law not subject to abrogation. It can not make laws for the Union, if any part of the Union may pronounce its enactments void and of no effect. Its forms of legislation would be an idle

ceremony, if, after all, any one of four-and-twenty States might bid defiance to its authority. Without express provision in the Constitution, therefore, Sir, this whole question is necessarily decided by those provisions which create a legislative power and a judicial power. If these exist in a government intended for the whole, the inevitable consequence is that the laws of this legislative power, and the decisions of this judicial power must be binding on and over the whole. No man can form the conception of a government existing over four-and-twenty States, with a regular legislative and judicial power, and of the existence at the same time of an authority, residing elsewhere, to resist, at pleasure or discretion, the enactments and the decisions of such government. I maintain, therefore, Sir, that from the nature of the case, and as an inference wholly unavoidable, the acts of Congress and the decisions of the national courts must be of higher authority than State laws and State decisions. If this be not so, there is, there can be, no general government.

But, Mr. President, the Constitution has not left this cardinal point without full and explicit provisions. First, as to the authority of Congress. Having enumerated the specific powers conferred on Congress, the Constitution adds, as a distinct and substantive clause, the following, viz.: "To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof." If this means anything, it means that Congress may judge of the true extent and just interpretation of the specific powers granted to it, and may judge also of what is necessary and proper for executing those powers. If Congress is to judge of what is necessary for the execution of its powers, it must of necessity judge of the extent and interpretation of those powers.

And in regard, Sir, to the judiciary, the Constitution is still more express and emphatic. It declares that the judicial power shall extend to all *cases* in law or equity arising under the Constitution, laws of the United States, and treaties; that there shall be *one* Supreme Court, and that this Supreme Court shall have appellate jurisdiction of all these cases, subject to such exceptions as Congress may make. It is impossible to escape from the generality of these words. If a case arises under the Constitution, that is, if a case arises depending on the construction of the Constitution, the judicial power of the United States extends to it. It reaches *the case, the question*; it attaches the power of the national judicature to the *case* itself, in whatever court it may arise or exist; and in this *case* the Supreme Court has appellate jurisdiction over all Courts whatever. No language could provide with more effect and precision than is here done, for subjecting constitutional questions to the ultimate decision of the Supreme Court. And, Sir, this is exactly what the Convention found it necessary to provide for, and intended to provide for. It is, too, exactly what the people were universally told was done when they adopted the Constitu-

tion. One of the first resolutions adopted by the Convention was in these words, viz.: "That the jurisdiction of the national judiciary shall extend to cases which respect *the collection of the national revenue*, and questions which involve the national peace and harmony." Now, Sir, this either had no sensible meaning at all, or else it meant that the jurisdiction of the national judiciary should extend to these questions *with a paramount authority*. It is not to be supposed that the Convention intended that the power of the national judiciary should extend to these questions, and that the power of the judicatures of the States should also extend to them, *with equal power of final decision*. This would be to defeat the whole object of the provision. There were thirteen judicatures already in existence. The evil complained of, or the danger to be guarded against, was contradiction and repugnance in the decisions of these judicatures. If the framers of the Constitution meant to create a fourteenth, and yet not to give it power to revise and control the decisions of the existing thirteen, then they only intended to augment the existing evil and the apprehended danger by increasing still further the chances of discordant judgments. Why, Sir, has it become a settled axiom in politics that every judgment has a judicial power coextensive with its legislative power? Certainly, there is only this reason, namely, that the laws may receive a uniform interpretation and a uniform execution. This object can not be otherwise attained. A statute is what it is judicially interpreted to be; and if it be constructed one way in New Hampshire, and another way in Georgia, there is no uniform law. One Supreme Court, with appellate and final jurisdiction, is the natural and only adequate means, in any government, to secure this uniformity. The Convention saw all this clearly; and the resolution which I have quoted, never afterward rescinded, passed through various modifications, till it finally received the form which the article now bears in the Constitution.

It is undeniably true, then, that the framers of the Constitution intended to create a national judicial power, which should be paramount on national subjects. And after the Constitution was framed, and while the whole country was engaged in discussing its merits, one of its most distinguished advocates, Mr. Madison, told the people that it *was true that, in controversies relating to the boundary between the two jurisdictions, the tribunal which is ultimately to decide is to be established under the general government*. Mr. Martin, who had been a member of the Convention, asserted the same thing to the legislature of Maryland, and urged it as a reason for rejecting the Constitution. Mr. Pinckney, himself also a leading member of the Convention, declared it to the people of South Carolina. Everywhere it was admitted, by friends and foes, that this power was in the Constitution. By some it was thought dangerous, by most it was thought necessary; but by all it was agreed to be a power actually contained in the instrument. The Convention saw the absolute necessity of some control in the national government over State laws. Different modes of estab-

lishing this control were suggested and considered. At one time it was proposed that the laws of the States should, from time to time, be laid before Congress, and that Congress should possess a negative over them. But this was thought inexpedient and inadmissible; and in its place, and expressly as a substitute for it, the existing provision was introduced; that is to say, a provision by which the federal courts should have authority to overrule such State laws as might be in manifest contravention of the Constitution. The writers of the *Federalist*, in explaining the Constitution, while it was yet pending before the people, and still unadopted, give this account of the matter in terms, and assign this reason for the article as it now stands. By this provision Congress escaped the necessity of any revision of State laws, left the whole sphere of State legislation quite untouched, and yet obtained a security against any infringement of the constitutional power of the general government. Indeed, Sir, allow me to ask again, if the national judiciary was not to exercise a power of revision on constitutional questions over the judiciaries of the States, why was any national judicature erected at all? Can any man give a sensible reason for having a judicial power in this government, unless it be for the sake of maintaining a uniformity of decision on questions arising under the Constitution and laws of Congress, and insuring its execution? And does not this very idea of uniformity necessarily imply that the construction given by the national courts is to be the prevailing construction? How else, Sir, is it possible that uniformity can be preserved?

Gentlemen appear to me, Sir, to look at but one side of the question. They regard only the supposed danger of trusting a government with the interpretation of its own powers. But will they view the question in its other aspect? Will they show us how it is possible for a government to get along with four-and-twenty interpreters of its laws and powers? Gentlemen argue, too, as if, in these cases, the State would be always right, and the general government always wrong. But suppose the reverse; suppose the State wrong (and, since they differ, some of them must be wrong); are the most important and essential operations of the government to be embarrassed and arrested because one State holds the contrary opinion? Mr. President, every argument which refers the constitutionality of acts of Congress to State decision, appeals from the majority to the minority; it appeals from the common interest to a particular interest; from the counsels of all to the counsel of one; and endeavors to supersede the judgment of the whole by the judgment of a part.

I think it is clear, Sir, that the Constitution, by express provision, by definite and unequivocal words, as well as by necessary implication, has constituted the Supreme Court of the United States the appellate tribunal in all cases of a constitutional nature which assume the shape of a suit, in law or equity. And I think I can not do better than to leave this part of the subject by reading the remarks made upon it in the convention of Connecticut by Mr.

Ellsworth—a gentleman, Sir, who has left behind him, on the records of the government of his country, proofs of the clearest intelligence and of the deepest sagacity, as well as of the utmost purity and integrity of character. “This Constitution,” says he, “defines the extent of the powers of the general government. If the general legislature should, at any time, overleap their limits, the judicial department is a constitutional check. If the United States go beyond their powers, if they make a law which the Constitution does not authorize, it is void; and the judiciary power, the national judges, who, to secure their impartiality, are to be made independent, will declare it to be void. On the other hand, if the States go beyond their limits, if they make a law which is a usurpation upon the general government, the law is void; and upright, independent judges will declare it to be so.” Nor did this remain merely matter of private opinion. In the very first session of the first Congress, with all these well-known objects, both of the Convention and the people, full and fresh in his mind, Mr. Ellsworth, as is generally understood, reported the bill for the organization of the judicial department, and in that bill made provision for the exercise of this appellate power of the Supreme Court, in all the proper cases, in whatsoever court arising; and this appellate power has now been exercised for more than forty years, without interruption, and without doubt.

As to the cases, Sir, which do not come before the courts, those political questions which terminate with the enactments of Congress, it is of necessity that these should be ultimately decided by Congress itself. Like other legislatures, it must be trusted with this power. The members of Congress are chosen by the people, and they are answerable to the people; like other public agents, they are bound by oath to support the Constitution. These are the securities that they will not violate their duty, nor transcend their powers. They are the same securities that prevail in other popular governments; nor is it easy to see how grants of power can be more safely guarded, without rendering them nugatory. If the case can not come before the courts, and if Congress be not trusted with its decision, who shall decide it? The gentleman says, each State is to decide it for herself. If so, then, as I have already urged, what is law in one State is not law in another. Or, if the resistance of one State compels an entire repeal of the law, then a minority, and that a small one, governs the whole country.

Sir, those who espouse the doctrines of nullification reject, as it seems to me, the first great principle of all republican liberty; that is, that the majority *must* govern. In matters of common concern, the judgment of a majority *must* stand as the judgment of the whole. This is a law imposed on us by the absolute necessity of the case; and if we do not act upon it, there is no possibility of maintaining any government but despotism. We hear loud and repeated denunciations against what is called *majority government*. It is declared, with much warmth, that a majority government can

not be maintained in the United States. What, then, do gentlemen wish? Do they wish to establish a *minority* government? Do they wish to subject the will of the many to the will of the few? The honorable gentleman from South Carolina has spoken of absolute majorities, and majorities concurrent; language wholly unknown to our Constitution, and to which it is not easy to affix definite ideas. As far as I understand it, it would teach us that the absolute majority may be found in Congress, but the majority concurrent must be looked for in the States; that is to say, stripping the matter of this novelty of phrase, that the dissent of one or more States, as States, renders void the decision of a majority of Congress, so far as that State is concerned. And so this doctrine, running but a short career, like other dogmas of the day, terminates in nullification.

If this vehement invective against *majorities* meant no more than that, in the construction of government, it is wise to provide checks and balances, so that there should be various limitations on the power of the mere majority, it would only mean what the Constitution of the United States has already abundantly provided. It is full of such checks and balances. In its very organization it adopts a broad and most effective principle in the restraint of the power of mere majorities. A majority of the people elects the House of Representatives, but it does not elect the Senate. The Senate is elected by the States, each State having, in this respect, an equal power. No law, therefore, can pass without the assent of the representatives of the people, and a majority of the representatives of the States also. A majority of the representatives of the people must concur, and a majority of the States must concur, in every act of Congress; and the President is elected on a plan compound of both these principles. But having composed one house of representatives chosen by the people in each State, according to their numbers, and the other of an equal number of members from every State, whether larger or smaller, the Constitution gives to majorities in these houses thus constituted, the full and entire power of passing laws, subject always to the constitutional restrictions and to the approval of the President. To subject them to any other power is clear usurpation. The majority of one house may be controlled by the majority of the other, and both may be restrained by the President's negative. These are checks and balances provided by the Constitution, existing in the government itself, and wisely intended to secure deliberation and caution in legislative proceedings. But to resist the will of the majority in both houses, thus constitutionally exercised; to insist on the lawfulness of interposition by an extraneous power; to claim the right of defeating the will of Congress, by setting up against it the will of a single State—is neither more nor less, as it strikes me, than a plain attempt to overthrow the government. The constituted authorities of the United States are no longer a government, if they be not masters of their own will; they are no longer a government, if an external power may arrest their proceedings; they are no

longer a government, if acts passed by both houses, and approved by the President, may be nullified by State vetoes or State ordinances. Does any one suppose it could make any difference, as to the binding authority of an act of Congress, and of the duty of a State to respect it, whether it passed by a mere majority of both houses, or by three fourths of each, or the unanimous vote of each? Within the limits and restrictions of the Constitution, the government of the United States, like all other popular governments, acts by majorities. It can act no otherwise. Whoever, therefore, denounces the government of majorities, denounces the government of his own country, and denounces all free governments. And whoever would restrain these majorities, while acting within their constitutional limits, by an external power, whatever he may intend, asserts principles which, if adopted, can lead to nothing else than the destruction of the government itself.

Does not the gentleman perceive, Sir, how his argument against majorities might here be retorted upon him? Does he not see how cogently he might be asked, whether it be the character of nullification to practice what it preaches? Look to South Carolina at the present moment. How far are the rights of minorities there respected? I confess, Sir, I have not known, in peaceable times, the power of the majority carried with a higher hand, or upheld with more relentless disregard of the rights, feelings, and principles of the minority—a minority embracing, as the gentleman himself will admit, a large portion of the worth and respectability of the State, a minority, comprehending in its numbers men who have been associated with him, and with us, in these halls of legislation; men who have served their country at home and honored it abroad; men who would cheerfully lay down their lives for their native State, in any cause which they could regard as the cause of honor and duty; men above fear and above reproach; whose deepest grief and distress spring from the conviction that the present proceedings of the State must ultimately reflect discredit upon her. How is this minority, how are these men regarded? They are enthralled and disfranchised by ordinances and acts of legislation; subjected to tests and oaths, incompatible, as they conscientiously think, with oaths already taken, and obligations already assumed; they are proscribed and denounced as recreants to duty and patriotism, and slaves to a foreign power. Both the spirit which pursues them, and the positive measures which emanate from that spirit, are harsh and proscriptive beyond all precedent within my knowledge, except in periods of professed revolution.

It is not, Sir, one would think, for those who approve these proceedings, to complain of the power of majorities.

Mr. President, all popular governments rest on two principles, or two assumptions:

First. That there is so far a common interest among those over whom the government extends, as that it may provide for the defense, protection, and good government of the whole, without injustice or oppression to parts; and

Secondly. That the representatives of the people, and especially the people themselves, are secure against general corruption, and may be trusted, therefore, with the exercise of power.

Whoever argues against these principles argues against the practicability of all free governments. And whoever admits these, must admit, or can not deny, that power is as safe in the hands of Congress as in those of other representative bodies. Congress is not irresponsible. Its members are agents of the people, elected by them, answerable to them, and liable to be displaced or superseded, at their pleasure; and they possess as fair a claim to the confidence of the people, while they continue to deserve it, as any other public political agents.

If then, Sir, the manifest intention of the Convention, and the cotemporary admission of both friends and foes, prove anything; if the plain text of the instrument itself, as well as the necessary implication from other provisions, prove anything; if the early legislation of Congress, the course of judicial decisions, acquiesced in by all the States for forty years, prove anything—then it is proved that there is a supreme law and a final interpreter.

My fourth and last proposition, Mr. President, was, that any attempt by a State to abrogate or nullify acts of Congress, is a usurpation on the powers of the general government, and on the equal rights of other States, a violation of the Constitution, and a proceeding essentially revolutionary. This is undoubtedly true, if the preceding propositions be regarded as proved. If the government of the United States be trusted with the duty, in any department, of declaring the extent of its own powers, then a State ordinance, or act of legislation, authorizing resistance to an act of Congress, on the alleged ground of its unconstitutionality, is manifestly a usurpation upon its powers. If the States have equal rights in matters concerning the whole, then for one State to set up her judgment against the judgment of the rest, and to insist on executing that judgment by force, is also a manifest usurpation on the rights of other States. If the Constitution of the United States be a government proper, with authority to pass laws, and to give them a uniform interpretation and execution, then the interpretation of a State, to enforce her own construction, and to resist, as to herself, that law which binds the other States, is a violation of the Constitution.

If that be revolutionary which arrests the legislative, executive, and judicial power of government, dispenses with existing oaths and obligations of obedience, and elevates another power to supreme dominion, then nullification is revolutionary. Or if that be revolutionary, the natural tendency and practical effect of which are to break the Union into fragments, to sever all connection among the people of the respective States, and to prostrate this general government in the dust, then nullification is revolutionary.

Nullification, Sir, is as distinctly revolutionary as secession; but I can not say that the revolution which it seeks is one of so respect-

able a character. Secession would, it is true, abandon the Constitution altogether; but then it would profess to abandon it. Whatever other inconsistencies it might run into, one, at least, it would avoid. It would not belong to a government, while it rejected its authority. It would not repel the burden, and continue to enjoy the benefits. It would not aid in passing laws which others are to obey, and yet reject their authority as to itself. It would not undertake to reconcile obedience to public authority with an asserted right of command over that same authority. It would not be in the government, and above the government, at the same time. But though secession may be a more respectable mode of attaining the object than nullification, it is not more truly revolutionary. Each and both resist the constitutional authorities; each and both would sever the Union and subvert the government.

Mr. President, having detained the Senate so long already, I will not now examine at length the ordinance and laws of South Carolina. These papers are well drawn for their purpose. Their authors understood their own objects. They are called a peaceful remedy, and we have been told that South Carolina, after all, intends nothing but a lawsuit. A very few words, Sir, will show the nature of this peaceful remedy, and of the lawsuit which South Carolina contemplates.

In the first place, the ordinance declares the law of last July, and all other laws of the United States laying duties, to be absolutely null and void, and makes it unlawful for the constituted authorities of the United States to enforce the payment of such duties. It is therefore, Sir, an indictable offense, at this moment, in South Carolina, for any person to be concerned in collecting revenue under the laws of the United States. It being declared, by what is considered a fundamental law of the State, unlawful to collect these duties, an indictment lies, of course, against any one concerned in such collection; and he is, on general principles, liable to be punished by fine and imprisonment. The terms, it is true, are, that it is unlawful "to enforce the payment of duties;" but every custom-house officer enforces payment while he detains the goods in order to obtain such payment. The ordinance, therefore, reaches everybody concerned in the collection of the duties.

This is the first step in the prosecution of the peaceable remedy. The second is more decisive. By the act commonly called the *replevin* law, any person, whose goods are seized or detained by the collector for the payment of duties, may sue out a writ of replevin, and by virtue of that writ the goods are to be restored to him. A writ of replevin is a writ which the sheriff is bound to execute, and for the execution of which he is bound to employ force, if necessary. He may call out the *posse*, and must do so, if resistance be made. This *posse* may be armed or unarmed. It may come forth with military array, and under the lead of military men. Whatever number of troops may be assembled in Charleston, they may be summoned, with the governor, or commander-in-chief at their head, to come in aid of the sheriff. It is evident, then, Sir,

that the whole military power of the State is to be employed, if necessary, in dispossessing the custom-house officers, and in seizing and holding the goods without paying the duties. This is the second step in the peaceable remedy.

Sir, whatever pretenses may be set up to the contrary, this is the direct application of force, and of military force. It is unlawful, in itself, to replevy goods in the custody of the collectors. But this unlawful act is to be done, and it is to be done by power. Here is a plain interposition, by physical force, to resist the laws of the Union. The legal mode of collecting duties is to detain the goods till such duties are paid or secured. But force comes, and overpowers the collector and his assistants, and takes away the goods, leaving the duties unpaid. There can not be a clearer case of forcible resistance to law. And it is provided that the goods thus seized shall be held against any attempt to retake them, by the same force which seized them.

Having thus dispossessed the officers of the government of the goods, without payment of duties, and seized and secured them by the strong arm of the State, only one thing more remains to be done, and that is, to cut off all possibility of legal redress; and that, too, is accomplished, or thought to be accomplished. The ordinance declares, *that all judicial proceedings, founded on the revenue laws* (including, of course, proceedings in the courts of the United States), *shall be null and void*. This nullifies the judicial power of the United States. Then comes the test-oath act. This requires all State judges and jurors in the State courts to swear that they will execute the ordinance, and all acts of the legislature passed in pursuance thereof. The ordinance declares, that no appeal shall be allowed from the decision of the State courts to the Supreme Court of the United States; and the replevin act makes it an indictable offense for any clerk to furnish a copy of the record, for the purpose of such appeal.

The two principal divisions on which South Carolina relies, to resist the laws of the United States, and nullify the authority of this government, are, therefore, these:

1. A forcible seizure of goods, before duties are paid or secured, by the power of the State, civil and military.
2. The taking away, by the most effectual means in her power, of all legal redress in the courts of the United States; the confining of judicial proceedings to her own State tribunals; and the compelling of her judges and jurors of these her own courts to take an oath, beforehand, that they will decide all cases according to the ordinance, and the acts passed under it; that is, that they will decide the cause one way. They do not swear to try it on its own merits; they only swear to *decide* it as nullification requires.

The character, Sir, of these provisions defies comment. Their object is as plain as their means are extraordinary. They propose direct resistance, by the whole power of the State, to laws of Congress, and cut off, by methods deemed adequate, any redress by legal and judicial authority. They arrest legislation, defy the ex-

ecutive, and banish the judicial power of this government. They authorize and command acts to be done, and done by force, both of numbers and of arms, which, if done, and done by force, are clearly acts of rebellion and treason.

Such, Sir, are the laws of South Carolina; such, Sir, is the peaceable remedy of nullification. Has not nullification reached, Sir, even thus early, that point of direct and forcible resistance to law to which I intimated, three years ago, it plainly tended?

And now, Mr. President, what is the reason for passing laws like these? What are the oppressions experienced under the Union, calling for measures which thus threaten to sever and destroy it? What invasions of public liberty, what ruin to private happiness, what long list of rights violated, or wrongs unredressed, is to justify to the country, to posterity, and to the world, this assault upon the free Constitution of the United States, this great and glorious work of our fathers? At this very moment, Sir, the whole land smiles in peace and rejoices in plenty. A general and a high prosperity pervades the country; and, judging by the common standard, by increase of population and wealth, or judging by the opinions of that portion of her people not embarked in these dangerous and desperate measures, this prosperity overspreads South Carolina herself.

Thus happy at home, our country, at the same time, holds high the character of her institutions, her power, her rapid growth, and her future destiny, in the eyes of all foreign states. One danger only creates hesitation, one doubt only exists to darken the otherwise unclouded brightness of that aspect which she exhibits to the view and to the admiration of the world. Need I say that that doubt respects the permanency of our Union? And need I say that that doubt is now caused, more than anything else, by these very proceedings of South Carolina? Sir, all Europe is, at this moment, beholding us, and looking for the issue of this controversy; those who hate free institutions, with malignant hope; those who love them, with deep anxiety and shivering fear.

The cause, then, Sir, the cause? Let the world know the cause which has thus induced one State of the Union to bid defiance to the power of the whole, and openly to talk of secession. Sir, the world will scarcely believe that this whole controversy, and all the desperate measures which its support requires, have no other foundation than a difference of opinion upon a provision of the Constitution, between a majority of the people of South Carolina, on one side, and a vast majority of the whole people of the United States, on the other. It will not credit the fact, it will not admit the possibility, that, in an enlightened age, in a free, popular republic, under a constitution where the people govern, as they must always govern under such systems, by majorities, at a time of unprecedented prosperity, without practical oppression, without evils such as may not only be pretended, but felt and experienced—evils not slight or temporary, but deep, permanent, and intolerable—a single State should rush into conflict with all the rest, attempt to put

down the power of the Union by her own laws, and to support those laws by her military power, and thus break up and destroy the world's last hope. And well the world may be incredulous. We, who see and hear it, can ourselves hardly yet believe it. Even after all that had preceded it, this ordinance struck the country with amazement. It was incredible and inconceivable that South Carolina should plunge headlong into resistance to the laws on a matter of opinion, and on a question in which the preponderance of opinion, both of the present day and of all past time, was so overwhelmingly against her. The ordinance declares that Congress has exceeded its just power by laying duties on imports, intended for the protection of manufactures. This is the opinion of South Carolina; and on the strength of that opinion she nullifies the laws. Yet has the rest of the country no right to its opinion also? Is one State to sit sole arbitress? She maintains that those laws are plain, deliberate, and palpable violations of the Constitution; that she has a sovereign right to decide this matter; and that, having so decided, she is authorized to resist their execution by her own sovereign power; and she declares that she will resist it, though such resistance should shatter the Union into atoms.

Mr. President, I do not intend to discuss the propriety of these laws at large; but I will ask, How are they shown to be thus plainly and palpably unconstitutional? Have they no countenance at all in the Constitution itself? Are they quite new in the history of the government? Are they a sudden and violent usurpation on the rights of the States? Sir, what will the civilized world say, what will posterity say, when they learn that similar laws have existed from the very foundation of the government, that for thirty years the power was never questioned, and that no State in the Union has more freely and unequivocally admitted it than South Carolina herself?

To lay and collect duties and imposts is an *express power* granted by the Constitution to Congress. It is, also, an *exclusive power*; for the Constitution as expressly prohibits all the States from exercising it themselves. This express and exclusive power is unlimited in the terms of the grant, but is attended with two specific restrictions: first, that all duties and imposts shall be equal in all the States; second, that no duties shall be laid on exports. The power, then, being granted, and being attended with these two restrictions, and no more, who is to impose a third restriction on the general words of the grant? If the power to lay duties, as known among all other nations, and as known in all our history, and as it was perfectly understood when the Constitution was adopted, includes a right of discriminating while exercising the power, and of laying some duties heavier and some lighter, for the sake of encouraging our own domestic products, what authority is there for giving to the words used in the Constitution a new, narrow, and unusual meaning? All the limitations which the Constitution intended, it has expressed; and what it has left un-

restricted is as much a part of its will as the restraints which it has imposed.

But these laws, it is said, are unconstitutional on account of the *motive*. How, Sir, can a law be examined on any such ground? How is the motive to be ascertained? One house, or one member, may have one motive; the other house, or another member, another. One motive may operate to-day, and another to-morrow. Upon any such mode of reasoning as this, one law might be unconstitutional now, and another law, in exactly the same words, perfectly constitutional next year. Besides, articles may not only be taxed for the purpose of protecting home products, but other articles may be left free, for the same purpose and with the same motive. A law, therefore, would become unconstitutional from what it omitted, as well as from what it contained. Mr. President, it is a settled principle, acknowledged in all legislative halls, recognized before all tribunals, sanctioned by the general sense and understanding of mankind, that there can be no inquiry into the motives of those who pass laws, for the purpose of determining on their validity. If the law be within the fair meaning of the words in the grant of the power, its authority must be admitted until it is repealed. This rule, everywhere acknowledged, everywhere admitted, is so universal and so completely without exception, that even an allegation of fraud, in the majority of a legislature, is not allowed as a ground to set aside a law.

But, Sir, is it true that the motive for these laws is such as is stated? I think not. The great object of all these laws is, unquestionably, revenue. If there were no occasion for revenue, the laws would not have been passed; and it is notorious that almost the entire revenue of the country is derived from them. And as yet we have collected none too much revenue. The treasury has not been more reduced for many years than it is at the present moment. All that South Carolina can say is, that, in passing the laws which she now undertakes to nullify, *particular imported articles were taxed, from a regard to the protection of certain articles of domestic manufacture, higher than they would have been had no such regard been entertained*. And she insists that, according to the Constitution, no such discrimination can be allowed; that duties should be laid for revenue, and revenue only; and that it is unlawful to have reference, in any case, to protection. In other words, she denies the power of DISCRIMINATION. She does not, and can not, complain of excessive taxation; on the contrary, she professes to be willing to pay any amount of revenue, merely as revenue; and up to the present moment there is no surplus of revenue. Her grievance, then, that plain and palpable violation of the Constitution, which she insists has taken place, is simply the exercise of the power of DISCRIMINATION. Now, Sir, is the exercise of this power of discrimination plainly and palpably unconstitutional?

I have already said, the power to lay duties is given by the Constitution in broad and general terms. There is also conferred on

Congress the whole power of regulating commerce, in another distinct provision. It is clear and palpable, Sir, can any man say it is a case beyond doubt, that, under these two powers, Congress may not justly *discriminate*, in laying duties, *for the purpose of countervailing the policy of foreign nations, or of favoring our own home productions?* Sir, what ought to conclude this question forever, as it would seem to me, is that the regulation of commerce and the imposition of duties are, in all commercial nations, powers avowedly and constantly exercised for this very end. That undeniable truth ought to settle the question; because the Constitution ought to be considered, when it uses well-known language, as using it in its well-known sense. But it is equally undeniable that it has been, from the very first, fully believed that this power of discrimination was conferred on Congress; and the Constitution was itself recommended, urged upon the people, and enthusiastically insisted on in some of the States, for that very reason. Not that, at that time, the country was extensively engaged in manufactures, especially of the kinds now existing. But the trades and crafts of the seaport towns, the business of the artisans and manual laborers—those employments, the work in which supplies so great a portion of the daily wants of all classes—all these looked to the new Constitution as a source of relief from the severe distress which followed the war. It would, Sir, be unpardonable, at so late an hour, to go into details on this point; but the truth is as I have stated. The papers of the day, the resolutions of public meetings, the debates in the conventions, all that we open our eyes upon in the history of the times, prove it.

Sir, the honorable gentleman from South Carolina has referred to two incidents connected with the proceedings of the Convention at Philadelphia, which he thinks are evidence to show that the power of protecting manufactures by laying duties, and by commercial regulations, was not intended to be given to Congress. The first is, as he says, that a power to protect manufactures was expressly proposed, but not granted. I think, Sir, the gentleman is quite mistaken in relation to this part of the proceedings of the Convention. The whole history of the occurrence to which he alludes is simply this. Toward the conclusion of the Convention, after the provisions of the Constitution had been mainly agreed upon, after the power to lay duties and the power to regulate commerce had both been granted, a long list of propositions was made and referred to the committee, containing various miscellaneous powers, some or all of which it was thought might be properly vested in Congress. Among these was a power to establish a university; to grant charters of incorporation; to regulate stage-coaches on the post-roads; and also the power to which the gentleman refers, and which is expressed in these words: "To establish public institutions, rewards, and immunities, for the promotion of agriculture, commerce, trades, and manufactures." The committee made no report on this or various other propositions in the same list. But the only inference from this omission is, that

neither the Committee nor the Convention thought it proper to authorize Congress "to establish public institutions, rewards, and immunities," for the promotion of manufactures and other interests. The Convention supposed it had done enough—at any rate, it had done all it intended—when it had given to Congress, in general terms, the power to lay imposts and the power to regulate trade. It is not to be argued, from its omission to give more, that it meant to take back what it had already given. It had given the impost power; it had given the regulation of trade; and it did not deem it necessary to give the further and distinct power of establishing public institutions.

The other fact, Sir, on which the gentleman relies is the declaration of Mr. Martin to the legislature of Maryland. The gentleman supposes Mr. Martin to have urged against the Constitution, that it did not contain the power of protection. But if the gentleman will look again at what Mr. Martin said, he will find, I think, that what Mr. Martin complained of was, that the Constitution, by its prohibitions on the States, had taken away from the States themselves the power of protecting their own manufactures by duties on imports. This is undoubtedly true; but I find no expression of Mr. Martin intimating that the Constitution had not conferred on Congress the same power which it had thus taken from the States.

But, Sir, let us go to the first Congress; let us look in upon this and the other house, at the first session of their organization.

We see, in both houses, men distinguished among the framers, friends, and advocates of the Constitution. We see in both, those who had drawn, discussed, and matured the instrument in the Convention, explained and defended it before the people, and were now elected members of Congress, to put the new government into motion, and to carry the powers of the Constitution into beneficial execution. At the head of the government was WASHINGTON himself, who had been President of the Convention; and in his cabinet were others most thoroughly acquainted with the history of the Constitution, and distinguished for the part taken in its discussion. If these persons were not acquainted with the meaning of the Constitution, if they did not understand the work of their own hands, who can understand it, or who shall now interpret it to us?

Sir, the volume which records the proceedings and debates of the first session of the House of Representatives lies before me. I open it, and I find that, having provided for the administration of the necessary oaths, the very first measure proposed for consideration is, the laying of imposts; and in the very first committee of the whole into which the House of Representatives ever resolved itself, on this its earliest subject, and in this its very first debate, the duty of so laying the imposts as to encourage manufactures was advanced and enlarged upon by almost every speaker, and doubted or denied by none. The first gentleman who suggests this as the clear duty of Congress, and as an object necessary to be attended to, is Mr. Fitzsim-

mons, of Pennsylvania; the second, Mr. White, of VIRGINIA; the third, Mr. Tucker, of SOUTH CAROLINA.

But the great leader, Sir, on this occasion, was Mr. Madison. Was *he* likely to know the intentions of the Convention and the people? Was *he* likely to understand the Constitution? At the second sitting of the committee, Mr. Madison explained his own opinions of the duty of Congress, fully and explicitly. I must not detain you, Sir, with more than a few short extracts from these opinions, but they are such as are clear, intelligible, and decisive. "The States," says he, "that are most advanced in population, and ripe for manufactures, ought to have their particular interest attended to, in some degree. While these States retained the power of making regulations of trade, they had the power to cherish such institutions. By adopting the present Constitution, they have thrown the exercise of this power into other hands; they must have done this with an expectation that those interested would not be neglected here." In another report of the same speech, Mr. Madison is represented as using still stronger language; as saying that, the Constitution having taken this power away from the States and conferred it on Congress, it would be a *fraud* on the States and on the people were Congress to refuse to exercise it.

Mr. Madison argues, Sir, on this early and interesting occasion, very justly and liberally, in favor of the general principles of unrestricted commerce. But he argues, also, with equal force and clearness, for certain important exceptions to the general principle. The first, Sir, respects those manufactures which had been brought forward under encouragement by the State governments. "It would be cruel," says Mr. Madison, "to neglect them, and to divert their industry into other channels; for it is not possible for the hand of man to shift from one employment to another without being injured by the change." Again: "There may be some manufactures which, being once formed, can advance toward perfection without any adventitious aid; while others, for want of the fostering hand of government, will be unable to go on at all. Legislative provision, therefore, will be necessary to collect the proper objects for this purpose; and this will form another exception to my general principle." And again: "The next exception that occurs is one on which great stress is laid by some well-informed men, and this with great plausibility; that each nation should have, within itself, the means of defense, independent of foreign supplies; that, in whatever relates to the operations of war, no State ought to depend upon a precarious supply from any part of the world. - There may be some truth in this remark; and therefore it is proper for legislative attention."

In the same debate, Sir, Mr. Burk, from SOUTH CAROLINA, supported a duty on hemp for the express purpose of encouraging its growth on the strong lands of South Carolina. "Cotton," he said, "was also in contemplation among them, and, if good seed could be procured, he hoped might succeed." Afterward, Sir, the cotton was obtained, its culture was protected, and it did succeed.

Mr. Smith, a very distinguished member from the SAME STATE, observed: "It has been said, and justly, that the States which adopted this Constitution expected its administration would be conducted with a favorable hand. The manufacturing States wished the encouragement of manufactures, the maritime States the encouragement of ship-building, and the agricultural States the encouragement of agriculture."

Sir, I will detain the Senate by reading no more extracts from these debates. I have already shown a majority of the members of SOUTH CAROLINA, in this very first session, acknowledging this power of protection, voting for its exercise, and proposing its extension to their own products. Similar propositions came from Virginia; and, indeed, Sir, in the whole debate, at whatever page you open the volume, you find the power admitted, and you find it applied to the protection of particular articles, or not applied, according to the discretion of Congress. No man denied the power, no man doubted it; the only questions were, in regard to the several articles proposed to be taxed, whether they were fit subjects for protection, and what the amount of that protection ought to be. Will gentlemen, Sir, now answer the argument drawn from these proceedings of the first Congress? Will they undertake to deny that that Congress did act on the avowed principle of protection? Or, if they admit it, will they tell us how those who framed the Constitution fell, thus early, into this great mistake about its meaning? Will they tell us how it should happen that they had so soon forgotten their own sentiments and their own purposes? I confess I have seen no answer to this argument, nor any respectable attempt to answer it. And, Sir, how did this debate terminate? What law was passed? There it stands, Sir, among the statutes, the second law in the book. It has a *preamble*, and that preamble expressly recites, that the duties which it imposes are laid "for the support of government for the discharge of the debts of the United States, and the *encouragement and protection of manufactures*." Until, Sir, this early legislation, thus coeval with the Constitution itself, thus full and explicit, can be explained away, no man can doubt of the meaning of that instrument, in this respect.

Mr. President, this power of *discrimination*, thus admitted, avowed, and practiced upon in the first revenue act, has never been denied or doubted until within a few years past. It was not at all doubted in 1816, when it became necessary to adjust the revenue to a state of peace. On the contrary, the power was then exercised, not without opposition as to its expediency, but, as far as I remember or have understood, without the slightest opposition founded on any supposed want of constitutional authority. Certainly, SOUTH CAROLINA did not doubt it. The tariff of 1816 was introduced, carried through, and established, under the lead of South Carolina. Even the minimum policy is of South Carolina origin. The honorable gentleman himself supported, and ably supported, the tariff of 1816. He has informed us, Sir, that his speech on that occasion was sudden and off-hand, he being called

up by the request of a friend. I am sure the gentleman so remembers it, and that it was so; but there is, nevertheless, much method, arrangement, and clear exposition in that extempore speech. It is very able, very, very much to the point, and very decisive. And in another speech, delivered two months earlier, on the proposition to repeal the internal taxes, the honorable gentleman had touched the same subject, and had declared, "*that a certain encouragement ought to be extended at least to our woolen and cotton manufactures.*" I do not quote these speeches, Sir, for the purpose of showing that the honorable gentleman has changed his opinion; my object is other and higher. I do it for the sake of saying that that can not be so plainly and palpably unconstitutional as to warrant resistance to law, nullification, and revolution, which the honorable gentleman and his friends have heretofore agreed to and acted upon without doubt and without hesitation. Sir, it is no answer to say that the tariff of 1816 was a revenue bill. So are they all revenue bills. The point is, and the truth is, that the tariff of 1816, like the rest, *did discriminate*; it did distinguish one article from another; it did lay duties for protection. Look to the case of coarse cottons under the minimum calculation: the duty on these was from sixty to eighty per cent. Something besides revenue, certainly, was intended in this; and, in fact, the law cut up our whole commerce with India in that article.

It is, Sir, only within a few years that Carolina has denied the constitutionality of these protective laws. The gentleman himself has narrated to us the true history of her proceedings on this point. He says, that, after the passing of the law of 1828, despairing then of being able to abolish the system of protection, political men went forth among the people, and set up the doctrine that the system was unconstitutional. "*And the people,*" says the honorable gentleman, "*received the doctrine.*" This, I believe, is true, Sir. The people did then receive the doctrine; they had never entertained it before. Down to that period, the constitutionality of these laws had been no more doubted in South Carolina than elsewhere. And I suspect it is true, Sir, and I deem it a great misfortune, that, to the present moment, a great portion of the people of the State have never yet seen more than one side of the argument. I believe that thousands of honest men are involved in scenes now passing, led away by one-sided views of the question, and following their leaders by the impulses of an unlimited confidence. Depend upon it, Sir, if we can avoid the shock of arms, a day for reconsideration and reflection will come; truth and reason will act with their accustomed force, and the public opinion of South Carolina will be restored to its usual constitutional and patriotic tone.

But, Sir, I hold South Carolina to her ancient, her cool, her uninfluenced, her deliberate opinions. I hold her to her own admissions, nay, to her own claims and pretensions, in 1789, in the first Congress, and to her acknowledgments and avowed sentiments through a long series of succeeding years. I hold her to the principles on which she led Congress to act in 1816; or, if she have

changed her own opinions, I claim some respect for those who still retain the same opinions. I say she is precluded from asserting that doctrines, which she has herself so long and so ably sustained, are plain, palpable, and dangerous violations of the Constitution.

Mr. President, if the friends of the nullification should be able to propagate their opinions, and give them practical effect, they would, in my judgment, prove themselves the most skillful "architects of ruin," the most successful extinguishers of high-raised expectation, the greatest blasters of human hopes, that any age has produced. They would stand up to proclaim, in tones which would pierce the ears of half the human race, that the last great experiment of representative government had failed. They would send forth sounds, at the hearing of which the doctrine of the divine right of kings would feel, even in its grave, a returning sensation of vitality and resuscitation. Millions of eyes, of those who now feed their inherent love of liberty on the success of the American example, would turn away from beholding our dismemberment, and find no place on earth whereon to rest their gratified sight. Amid the incantations and orgies of nullification, secession, disunion, and revolution, would be celebrated the funeral rites of constitutional and republican liberty.

But, Sir, if the government do its duty, if it act with firmness and with moderation, these opinions can not prevail. Be assured, Sir, be assured, that among the political sentiments of this people, the love of union is still uppermost. They will stand fast by the Constitution, and by those who defend it. I rely on no temporary expedients, on no political combination; but I rely on the true American feeling, the genuine patriotism of the people, and the imperative decision of the public voice. Disorder and confusion, indeed, may arise; scenes of commotion and contest are threatened, and perhaps may come. With my whole heart, I pray for the continuance of the domestic peace and quiet of the country. I desire, most ardently, the restoration of affection and harmony to all its parts. I desire that every citizen of the whole country may look to this government with no other sentiments than those of grateful respect and attachment. But I can not yield even to kind feelings the cause of the Constitution, the true glory of the country, and the great trust which we hold in our hands for succeeding ages. If the Constitution can not be maintained without meeting these scenes of commotion and contest, however unwelcome, they must come. We can not, we must not, we dare not, omit to do that which, in our judgment, the safety of the Union requires. Not regardless of consequences, we must yet meet consequences; seeing the hazards which surround the discharge of public duty, it must yet be discharged. For myself, Sir, I shun no responsibility justly devolving on me, here or elsewhere, in attempting to maintain the cause. I am bound to it by indissoluble ties of affection and duty, and I shall cheerfully partake in its fortunes and its fate. I am ready to perform my own appropriate part, whenever and wherever the occasion may call on me, and to take my chance

among those upon whom blows may fall first and fall thickest. I shall exert every faculty I possess in aiding to prevent the Constitution from being nullified, destroyed, or impaired ; and even should I see it fall, I will still, with a voice feeble perhaps, but earnest as ever issued from human lips, and with fidelity and zeal which nothing shall extinguish, call on the PEOPLE to come to its rescue.

PRESIDENT JACKSON'S PROCLAMATION,

Issued in 1832, when South Carolina undertook to Annul the Federal Revenue Law.

WHEREAS a convention, assembled in the State of South Carolina, have passed an ordinance, by which they declare " that the several acts and parts of acts of the Congress of the United States, purporting to be laws for the imposing of duties and imposts on the importation of foreign commodities, and now having actual operation and effect within the United States, and more especially 'two acts for the same purposes, passed on the 29th of May, 1828, and on the 14th of July, 1832,' are unauthorized by the Constitution of the United States, and violate the true meaning and intent thereof, and are null and void, and no law," nor binding on the citizens of that State or its officers ; and by the said ordinance it is further declared to be unlawful for any of the constituted authorities of the State, or of the United States, to enforce the payment of the duties imposed by the said acts within the same State, and that it is the duty of the legislature to pass such laws as may be necessary to give full effect to the said ordinances :

And whereas, by the said ordinance it is further ordained, that, in no case of law or equity, decided in the courts of said State, wherein shall be drawn in question the validity of the said ordinance, or of the acts of the legislature that may be passed to give it effect, or of the said laws of the United States, no appeal shall be allowed to the Supreme Court of the United States, nor shall any copy of the record be permitted or allowed for that purpose ; and that any person attempting to take such appeal, shall be punished as for a contempt of court :

And, finally, the said ordinance declares that the people of South Carolina will maintain the said ordinance at every hazard; and that they will consider the passage of any act by Congress abolishing or closing the ports of the said State, or otherwise obstructing the free ingress or egress of vessels to and from the said ports, or any other act of the Federal Government to coerce the State, shut up her ports, destroy or harass her commerce, or to enforce the said acts otherwise than through the civil tribunals of the country, as inconsistent with the longer continuance of South Carolina in the Union; and that the people of the said State will thenceforth hold themselves absolved from all further obligation to maintain or preserve their political connection with the people of the other States, and will forthwith proceed to organize a separate government, and do all other acts and things which sovereign and independent States may of right do:

And whereas the said ordinance prescribes to the people of South Carolina a course of conduct in direct violation of their duty as citizens of the United States, contrary to the laws of their country, subversive of its Constitution, and having for its object the destruction of the Union—that Union, which, coeval with our political existence, led our fathers, without any other ties to unite them than those of patriotism and common cause, through a sanguinary struggle to a glorious independence—that sacred Union, hitherto inviolate, which, perfected by our happy Constitution, has brought us, by the favor of Heaven, to a state of prosperity at home, and high consideration abroad, rarely, if ever, equaled in the history of nations; to preserve this bond of our political existence from destruction, to maintain inviolate this state of national honor and prosperity, and to justify the confidence my fellow-citizens have reposed in me, I, Andrew Jackson, President of the United States, have thought proper to issue this my PROCLAMATION, stating my views of the Constitution and laws applicable to the measures adopted by the Convention of South Carolina, and to the reasons they have put forth to sustain them, declaring the course which duty will require me to pursue, and, appealing to the understanding and patriotism of the people, warn them of the consequences that must inevitably result from an observance of the dictates of the Convention.

Strict duty would require of me nothing more than the exercise of those powers with which I am now, or may hereafter be, invested, for preserving the Union, and for the execution of the laws.

But the imposing aspect which opposition has assumed in this case, by clothing itself with State authority, and the deep interest which the people of the United States must all feel in preventing a resort to stronger measures, while there is a hope that anything will be yielded to reasoning and remonstrances, perhaps demand, and will certainly justify, a full exposition to South Carolina and the nation of the views I entertain of this important question, as well as a distinct enunciation of the course which my sense of duty will require me to pursue.

The ordinance is founded, not on the indefeasible right of resisting acts which are plainly unconstitutional, and too oppressive to be endured, but on the strange position that any one State may not only declare an act of Congress void, but prohibit its execution—that they may do this consistently with the Constitution—that the true construction of that instrument permits a State to retain its place in the Union, and yet be bound by no other of its laws than those it may choose to consider as constitutional. It is true they add, that, to justify this abrogation of a law, it must be palpably contrary to the Constitution; but it is evident, that to give the right of resisting laws of that description, coupled with the uncontrolled right to decide what laws deserve that character, is to give the power of resisting all laws. For, as by the theory, there is no appeal, the reasons alleged by the State, good or bad, must prevail. If it should be said that public opinion is a sufficient check against the abuse of this power, it may be asked why it is not deemed a sufficient guard against the passage of an unconstitutional act by Congress. There is, however, a restraint in this last case, which makes the assumed power of a State more indefensible, and which does not exist in the other. There are two appeals from an unconstitutional act passed by Congress—one to the judiciary, the other to the people and the States. There is no appeal from the State decision in theory; and the practical illustration shows that the courts are closed against an application to review it, both judges and jurors being sworn to decide in its favor. But reasoning on this subject is superfluous, when our social compact in express terms declares, that the laws of the United States, its Constitution, and treaties made under it, are the supreme law of the land; and for greater caution adds, “that the judges in every State shall be bound thereby, anything in the constitution or laws of any State to the contrary notwithstanding.” And it may be asserted, without fear of refutation, that no federative government could exist without a

similar provision. Look, for a moment, to the consequence. If South Carolina considers the revenue laws unconstitutional, and has a right to prevent their execution in the port of Charleston, there would be a clear constitutional objection to their collection in every other port, and no revenue could be collected anywhere; for all imposts must be equal. It is no answer to repeat that an unconstitutional law is no law, so long as the question of its legality is to be decided by the State itself; for every law operating injuriously upon any local interest will be perhaps thought, and certainly represented, as unconstitutional, and, as has been shown, there is no appeal.

If this doctrine had been established at an earlier day, the Union would have been dissolved in its infancy. The excise law in Pennsylvania, the embargo and non-intercourse law in the Eastern States, the carriage tax in Virginia, were all deemed unconstitutional, and were more unequal in their operation than any of the laws now complained of; but, fortunately, none of those States discovered that they had the right now claimed by South Carolina. The war into which we were forced, to support the dignity of the nation and the rights of our citizens, might have ended in defeat and disgrace, instead of victory and honor, if the States, who supposed it a ruinous and unconstitutional measure, had thought they possessed the right of nullifying the act by which it was declared, and denying supplies for its prosecution. Hardly and unequally as those measures bore upon several members of the Union, to the legislatures of none did this efficient and peaceable remedy, as it is called, suggest itself. The discovery of this important feature in our Constitution was reserved to the present day. To the statesmen of South Carolina belongs the invention, and upon the citizens of that State will, unfortunately, fall the evils of reducing it to practice.

If the doctrine of a State veto upon the laws of the Union carries with it internal evidence of its impracticable absurdity, our constitutional history will also afford abundant proof that it would have been repudiated with indignation had it been proposed to form a feature in our government.

In our colonial state, although dependent on another power, we very early considered ourselves as connected by common interest with each other. Leagues were formed for common defense, and before the Declaration of Independence, we were known in our aggregate character as the United Colonies of America. That de-

cisive and important step was taken jointly. We declared ourselves a nation by a joint, not by several acts; and when the terms of our confederation were reduced to form, it was in that of a solemn league of several States, by which they agreed that they would, collectively, form one nation, for the purpose of conducting some certain domestic concerns, and all foreign relations. In the instrument forming that Union, is found an article which declares that "every State shall abide by the determinations of Congress on all questions which by that Confederation should be submitted to them."

Under the Confederation, then, no State could legally annul a decision of the Congress, or refuse to submit to its execution; but no provision was made to enforce these decisions. Congress made requisitions, but they were not complied with. The government could not operate on individuals. They had no judiciary, no means of collecting revenue.

But the defects of the Confederation need not be detailed. Under its operation we could scarcely be called a nation. We had neither prosperity at home nor consideration abroad. This state of things could not be endured, and our present happy Constitution was formed, but formed in vain, if this fatal doctrine prevails. It was formed for important objects that are announced in the preamble made in the name and by the authority of the people of the United States, whose delegates framed, and whose conventions approved, it.

The most important among these objects, that which is placed first in rank, on which all the others rest, is "*to form a more perfect Union.*" Now, it is possible that, even if there were no express provision giving supremacy to the Constitution and laws of the United States over those of the States, it can be conceived that an instrument made for the purpose of "*forming a more perfect Union*" than that of the confederation, could be so constructed by the assembled wisdom of our country as to substitute for that confederation a form of government, dependent for its existence on the local interest, the party spirit of a State, or of a prevailing faction in a State? Every man, of plain, unsophisticated understanding, who hears the question, will give such an answer as will preserve the Union. Metaphysical subtlety, in pursuit of an impracticable theory, could alone have devised one that is calculated to destroy it.

I consider, then, the power to annul a law of the United States, assumed by one State, *incompatible with the existence of the Union, contradicted expressly by the letter of the Constitution, unauthor-*

ized by its spirit, inconsistent with every principle on which it was founded, and destructive of the great object for which it was formed.

After this general view of the leading principle, we must examine the particular application of it which is made in the ordinance.

The preamble rests its justification on these grounds: It assumes as a fact, that the obnoxious laws, although they purport to be laws for raising revenue, were in reality intended for the protection of manufactures, which purpose it asserts to be unconstitutional; that the operation of these laws is unequal; that the amount raised by them is greater than is required by the wants of the government; and, finally, that the proceeds are to be applied to objects unauthorized by the Constitution. These are the only causes alleged to justify an open opposition to the laws of the country, and a threat of seceding from the Union, if any attempt should be made to enforce them. The first virtually acknowledges that the law in question was passed under a power expressly given by the Constitution, to lay and collect imposts; but its constitutionality is drawn in question from the motives of those who passed it. However apparent this purpose may be in the present case, nothing can be more dangerous than to admit the position that an unconstitutional purpose, entertained by the members who assent to a law enacted under a constitutional power, shall make that law void; for how is that purpose to be ascertained? Who is to make the scrutiny? How often may bad purposes be falsely imputed? In how many cases are they concealed by false professions? In how many is no declaration of motive made? Admit this doctrine, and you give to the States an uncontrolled right to decide, and every law may be annulled under this pretext. If, therefore, the absurd and dangerous doctrine should be admitted, that a State may annul an unconstitutional law, or one that it deems such, it will not apply to the present case.

The next objection is, that the laws in question operate unequally. This objection may be made with truth to every law that has been or can be passed. The wisdom of man never yet contrived a system of taxation that would operate with perfect equality. If the unequal operation of a law makes it unconstitutional, and if all laws of that description may be abrogated by any State for that cause, then, indeed, is the federal Constitution unworthy of the slightest effort for its preservation. We have hitherto relied on it as the perpetual bond of our Union. We have received it as the work of the assembled wisdom of the nation. We have

trusted to it as to the sheet-anchor of our safety, in the stormy times of conflict with a foreign or domestic foe. We have looked to it with sacred awe as the palladium of our liberties, and with all the solemnities of religion have pledged to each other our lives and fortunes here, and our hopes of happiness hereafter, in its defense and support. Were we mistaken, my countrymen, in attaching this importance to the Constitution of our country? Was our devotion paid to the wretched, inefficient, clumsy contrivance, which this new doctrine would make it? Did we pledge ourselves to the support of an airy nothing—a bubble that must be blown away by the first breath of disaffection? Was this self-destroying, visionary theory the work of the profound statesmen, the exalted patriots, to whom the task of constitutional reform was intrusted? Did the name of Washington sanction, did the States deliberately ratify, such an anomaly in the history of fundamental legislation? No. We were not mistaken. The letter of this great instrument is free from this radical fault; its language directly contradicts the imputation; its spirit, its evident intent, contradicts it. No, we did not err. Our Constitution does not contain the absurdity of giving power to make laws, and another power to resist them. The sages, whose memory will always be revered, have given us a practical, and, as they hoped, a permanent constitutional compact. The Father of his Country did not affix his revered name to so palpable an absurdity. Nor did the States, when they severally ratified it, do so under the impression that a veto on the laws of the United States was reserved to them, or that they could exercise it by application. Search the debates in all their conventions—examine the speeches of the most zealous opposers of federal authority—look at the amendments that were proposed. They are all silent—not a syllable uttered, not a vote given, not a motion made, to correct the explicit supremacy given to the laws of the Union over those of the States, or to show that implication, as is now contended, could defeat it. No, we have not erred! The Constitution is still the object of our reverence, the bond of our union, our defense in danger, the source of our prosperity in peace. It shall descend, as we have received it, uncorrupted by sophistical construction, to our posterity; and the sacrifices of local interest, of State prejudices, of personal animosities, that were made to bring it into existence, will again be patriotically offered for its support.

The two remaining objections made by the ordinance to these

laws are, that the sums intended to be raised by them are greater than are required, and that the proceeds will be unconstitutionally employed. The Constitution has given expressly to Congress the right of raising revenue, and of determining the sum the public exigences will require. The States have no control over the exercise of this right other than that which results from the power of changing the representatives who abuse it, and thus procure redress. Congress may undoubtedly abuse this discretionary power, but the same may be said of others with which they are vested. Yet the discretion must exist somewhere. The Constitution has given it to the representatives of all the people, checked by the representatives of the States, and by the executive power. The South Carolina construction gives it to the legislature, or the convention of a single State, where neither the people of the different States, nor the States in their separate capacity, nor the chief magistrate elected by the people, have any representation. Which is the most discreet disposition of the power? I do not ask you, fellow-citizens, which is the constitutional disposition—that instrument speaks a language not to be misunderstood. But if you were assembled in general convention, which would you think the safest depository of this discretionary power in the last resort? Would you add a clause giving it to each of the States, or would you sanction the wise provisions already made by your Constitution? If this should be the result of your deliberations when providing for the future, are you—can you—be ready to risk all that we hold dear, to establish, for a temporary and a local purpose, that which you must acknowledge to be destructive, and even absurd, as a general provision? Carry out the consequences of this right vested in the different States, and you must perceive that the crisis your conduct presents at this day would recur whenever any law of the United States displeased any of the States, and that we should soon cease to be a nation.

The ordinance, with the same knowledge of the future that characterizes a former objection, tells you that the proceeds of the tax will be unconstitutionally applied. If this could be ascertained with certainty, the objection would, with more propriety, be reserved for the law so applying the proceeds, but surely can not be urged against the laws levying the duty.

These are the allegations contained in the ordinance. Examine them seriously, my fellow-citizens—judge for yourselves. I appeal to you to determine whether they are so clear, so convincing, as to

leave no doubt of their correctness; and even if you should come to this conclusion, how far they justify the reckless, destructive course which you are directed to pursue. Review these objections, and the conclusions drawn from them once more. What are they? Every law, then, for raising revenue, according to the South Carolina ordinance, may be rightfully annulled, unless it be so framed as no law ever will or can be framed. Congress have a right to pass laws for raising revenue, and each State has a right to oppose their execution—two rights directly opposed to each other; and yet is this absurdity supposed to be contained in an instrument drawn for the express purpose of avoiding collisions between the States and the general government, by an assembly of the most enlightened statesmen and purest patriots ever embodied for a similar purpose.

In vain have these sages declared that Congress shall have power to lay and collect taxes, duties, imposts, and excises—in vain have they provided that they shall have power to pass laws which shall be necessary and proper to carry those powers into execution, that those laws and that Constitution shall be the “supreme law of the land; and that the judges in every State shall be bound thereby, anything in the constitution or laws of any State to the contrary notwithstanding.” In vain have the people of the several States solemnly sanctioned these provisions, made them their paramount law, and individually sworn to support them whenever they were called on to execute any office.

Vain provisions! Ineffectual restrictions! Vile profanation of oaths! Miserable mockery of legislation! If a bare majority of the voters in any one State may, on a real or supposed knowledge of the intent with which a law has been passed, declare themselves free from its operation—say here it gives too little, there too much, and operates unequally—here it suffers articles to be free that ought to be taxed, there it taxes those that ought to be free—in this case the proceeds are intended to be applied to purposes which we do not approve, in that the amount raised is more than is wanted. Congress, it is true, are invested by the Constitution with the right of deciding these questions according to their sound discretion. Congress is composed of the representatives of all the States, and of all the people of all the States; but *we*, part of the people of one State, to whom the Constitution has given no power on the subject, from whom it has expressly taken it away—*we*, who have solemnly agreed that this Constitution shall be our law—*we*, most

of whom have sworn to support it—we now abrogate this law, and swear, and force others to swear, that it shall not be obeyed—and we do this, not because Congress have no right to pass such laws; this we do not allege; but because they have passed them with improper views. They are unconstitutional from the motives of those who passed them, which we can never with certainty know, from their unequal operation; although it is impossible from the nature of things that they should be equal—and from the disposition which we presume may be made of their proceeds, although that disposition has not been declared. This is the plain meaning of the ordinance in relation to laws which it abrogates for alleged unconstitutionality. But it does not stop here. It repeals, in express terms, an important part of the Constitution itself, and of laws passed to give it effect, which have never been alleged to be unconstitutional. The Constitution declares that the judicial powers of the United States extend to cases arising under the laws of the United States, and that such laws the Constitution and treaties shall be paramount to the State constitutions and laws. The judiciary act prescribes the mode by which the case may be brought before a court of the United States, by appeal, when a State tribunal shall decide against this provision of the Constitution. The ordinance declares there shall be no appeal; makes the State law paramount to the Constitution and laws of the United States; forces judges and jurors to swear that they will disregard their provisions; and even makes it penal in a suitor to attempt relief by appeal. It further declares that it shall not be lawful for the authorities of the United States, or of that State, to enforce the payment of duties imposed by the revenue laws within its limits.

Here is a law of the United States, not even pretended to be unconstitutional, repealed by the authority of a small majority of the voters of a single State. Here is a provision of the Constitution which is solemnly abrogated by the same authority.

On such expositions and reasonings, the ordinance grounds not only an assertion of the right to annul the laws of which it complains, but to enforce it by a threat of seceding from the Union, if any attempt is made to execute them.

This right to secede is deduced from the nature of the Constitution, which they say is a compact between sovereign States, who have preserved their whole sovereignty, and therefore are subject to no superior; that because they made the compact, they can break it when in their opinion it has been departed from by the

other States. Fallacious as this course of reasoning is, it enlists State pride, and finds advocates in the honest prejudices of those who have not studied the nature of our government sufficiently to see the radical error on which it rests.

The people of the United States formed the Constitution, acting through the State legislatures, in making the compact, to meet and discuss its provisions, and acting in separate conventions when they ratified those provisions; but the terms used in its construction show it to be a government in which the people of all the States collectively are represented. We are **ONE PEOPLE** in the choice of the President and Vice-President. Here the States have no other agency than to direct the mode in which the votes shall be given. The candidates having the majority of all the votes are chosen. The electors of a majority of States may have given their votes for one candidate, and yet another may be chosen. The people, then, and not the States, are represented in the executive branch.

In the House of Representatives there is this difference, that the people of one State do not, as in the case of President and Vice-President, all vote for all the members, each State electing only its own representatives. But this creates no material distinction. When chosen, they are all representatives of the United States, not representatives of the particular State from which they come. They are paid by the United States, not by the State; nor are they accountable to it for any act done in performance of their legislative functions; and however they may in practice, as it is their duty to do, consult and prefer the interests of their particular constituents when they come in conflict with any other partial or local interest, yet it is their first and highest duty, as representatives of the United States, to promote the general good.

The Constitution of the United States, then, forms a *government*, not a league, and whether it be formed by compact between the States, or in any other manner, its character is the same. It is a government in which all the people are represented, which operates directly on the people individually, not upon the States; they retained all the power they did not grant. But each State having expressly parted with so many powers as to constitute jointly with the other States a single nation, can not from that period possess any right to secede, because such secession does not break a league, but destroys the unity of a nation, and any injury to that unity is not only a breach which would result from the contravention of a compact, but it is an offense against the whole Union. To say that any

State may at pleasure secede from the Union, is to say that the United States are not a nation; because it would be a solecism to contend that any part of a nation might dissolve its connection with the other parts, to their injury or ruin, without committing any offense. Secession, like any other revolutionary act, may be morally justified by the extremity of oppression; but to call it a constitutional right, is confounding the meaning of terms, and can only be done through gross error, or to deceive those who are willing to assert a right, but would pause before they made a revolution, or incur the penalties consequent upon a failure.

Because the Union was formed by compact, it is said the parties to that compact may, when they feel themselves aggrieved, depart from it; but it is precisely because it is a compact that they can not. A compact is an agreement or binding obligation. It may by its terms have a sanction or penalty for its breach, or it may not. If it contains no sanction, it may be broken with no other consequence than moral guilt; if it have a sanction, then the breach incurs the designated or implied penalty. A league between independent nations, generally, has no sanction other than a moral one; or if it should contain a penalty, as there is no common superior, it can not be enforced. A government, on the contrary, always has a sanction, express or implied; and, in our case, it is both necessarily implied and expressly given. An attempt by force of arms to destroy a government is an offense, by whatever means the constitutional compact may have been formed; and such government has the right, by the law of self-defense, to pass acts for punishing the offender, unless that right is modified, restrained, or resumed by the constitutional act. In our system, although it is modified in the case of treason, yet authority is expressly given to pass all laws necessary to carry its powers into effect, and under this grant provision has been made for punishing acts which obstruct the due administration of the laws.

It would seem superfluous to add anything to show the nature of that union which connects us; but as erroneous opinions on this subject are the foundation of doctrines the most destructive to our peace, I must give some further development to my views on this subject. No one, fellow-citizens, has a higher reverence for the reserved rights of the States than the magistrate who now addresses you. No one would make greater personal sacrifices, or official exertions, to defend them from violation; but equal care must be taken to prevent, on their part, an improper inter-

ference with, or resumption of, the rights they have vested in the nation. The line has not been so distinctly drawn as to avoid doubts in some cases of the exercise of power. Men of the best intentions and soundest views may differ in their construction of some parts of the Constitution; but there are others on which dispassionate reflection can leave no doubt. Of this nature appears to be the assumed right of secession. It rests, as we have seen, on the alleged undivided sovereignty of the States, and of their having formed in this sovereign capacity a compact which is called the Constitution, from which, because they made it, they have the right to secede. Both of these positions are erroneous, and some of the arguments to prove them so have been anticipated.

The States severally have not retained their entire sovereignty. It has been shown that in becoming parts of a nation, not members of a league, they surrendered many of their essential parts of sovereignty. The right to make treaties, declare war, levy taxes, exercise exclusive judicial and legislative powers, were all functions of sovereign power. The States, then, for all these important purposes, were no longer sovereign. The allegiance of their citizens was transferred in the first instance to the government of the United States; they became American citizens, and owed obedience to the Constitution of the United States, and to laws made in conformity with the powers vested in Congress. This last position has not been, and can not be, denied. How, then, can that State be said to be sovereign and independent whose citizens owe obedience to laws not made by it, and whose magistrates are sworn to disregard those laws, when they come in conflict with those passed by another? What shows conclusively that the States can not be said to have reserved an undivided sovereignty, is that they expressly ceded the right to punish treason—not treason against their separate power, but treason against the United States. Treason is an offense against *sovereignty*, and sovereignty must reside with the power to punish it. But the reserved rights of the States are not less sacred because they have for their common interest made the general government the depository of these powers. The unity of our political character (as has been shown for another purpose) commenced with its very existence. Under the royal government we had no separate character; our opposition to its oppression began as UNITED COLONIES. We were the UNITED STATES under the Confederation, and the

name was perpetuated and the Union rendered more perfect by the federal Constitution. In none of these stages did we consider ourselves in any other light than as forming one nation. Treaties and alliances were made in the name of all. Troops were raised for the joint defense. How, then, with all these proofs, that under all changes of our position we had, for designated purposes and with defined powers, created national governments—how is it that the most perfect of these several modes of union should now be considered as a mere league that may be dissolved at pleasure? It is from an abuse of terms. Compact is used as synonymous with league, although the true term is not employed, because it would at once show the fallacy of the reasoning. It would not do to say that our Constitution was only a league, but it is labored to prove it a compact (which, in one sense, it is), and then to argue that as a league is a compact, every compact between nations must, of course, be a league, and that from such an engagement every sovereign power has a right to recede. But it has been shown that in this sense the States are not sovereign, and that even if they were, and the national Constitution had been formed by compact, there would be no right in any one State to exonerate itself from the obligation.

So obvious are the reasons which forbid this secession, that it is necessary only to allude to them. The Union was formed for the benefit of all. It was produced by mutual sacrifice of interest and opinions. Can those sacrifices be recalled? Can the States, who magnanimously surrendered their title to the territories of the West, recall the grant? Will the inhabitants of the inland States agree to pay the duties that may be imposed without their assent by those on the Atlantic or the Gulf, for their own benefit? Shall there be a free port in one State, and enormous duties in another? No one believes that any right exists in a single State to involve all the others in these and countless other evils, contrary to engagements solemnly made. Every one must see that the other States, in self-defense, must oppose it at all hazards.

These are the alternatives that are presented by the convention: A repeal of all the acts for raising revenue, leaving the government without the means of support; or an acquiesce in the dissolution of our Union by the secession of one of its members. When the first was proposed, it was known that it could not be listened to for a moment. It was known if force was applied to oppose the execution of the laws, that it must be repelled by force—that Con-

gress could not, without involving itself in disgrace and the country in ruin, accede to the proposition; and yet if this is not done in a given day, or if any attempt is made to execute the laws, the State is, by the ordinance, declared to be out of the Union. The majority of a convention assembled for the purpose have dictated these terms, or rather this rejection of all terms, in the name of the people of South Carolina. It is true that the governor of the State speaks of the submission of their grievances to a convention of all the States; which, he says, they "sincerely and anxiously seek and desire." Yet this obvious and constitutional mode of obtaining the sense of the other States on the construction of the federal compact, and amending it, if necessary, has never been attempted by those who have urged the State on to this destructive measure. The State might have proposed a call for a general convention to the other States, and Congress, if a sufficient number of them concurred, must have called it. But the first magistrate of South Carolina, when he expressed a hope that, "on a review by Congress and the functionaries of the general government of the merits of the controversy," such a convention will be accorded to them, must have known that neither Congress, nor any functionary in the general government, has authority to call such a convention, unless it be demanded by two thirds of the States. This suggestion, then, is another instance of the reckless inattention to the provisions of the Constitution with which this crisis has been madly hurried on; or of the attempt to persuade the people that a constitutional remedy has been sought and refused. If the legislature of South Carolina "anxiously desire" a general convention to consider their complaints, why have they not made application for it in the way the Constitution points out? The assertion that they "earnestly seek" it is completely negatived by the omission.

This, then, is the position in which we stand. A small majority of the citizens of one State in the Union have elected delegates to a State convention: that convention has ordained that all the revenue laws of the United States must be repealed, or that they are no longer a member of the Union. The governor of that State has recommended to the legislature the raising of an army to carry the secession into effect, and that he may be empowered to give clearances to vessels in the name of the State. No act of violent opposition to the laws has yet been committed, but such a state of things is hourly apprehended, and it is the intent of this instrument to PROCLAIM, not only that the duty imposed on me by the Consti-

tution, "to take care that the laws be faithfully executed," shall be performed to the extent of the powers already vested in me by law, or of such others as the wisdom of Congress shall devise and intrust to me for that purpose; but to warn the citizens of South Carolina, who have been deluded into an opposition to the laws, of the danger they will incur by obedience to the illegal and disorganizing ordinance of the convention—to exhort those who have refused to support it to persevere in their determination to uphold the Constitution and laws of their country, and to point out to all the perilous situation into which the good people of that State have been led, and that the course they are urged to pursue is one of ruin and disgrace to the very State whose rights they affect to support.

Fellow-citizens of my native State! let me not only admonish you, as the first magistrate of our common country, not to incur the penalty of its laws, but use the influence that a father would over his children whom he saw rushing to a certain ruin. In that paternal language, with that paternal feeling, let me tell you, my countrymen, that you are deluded by men who are either deceived themselves or wish to deceive you. Mark under what pretenses you have been led on to the brink of insurrection and treason on which you stand! First a diminution of the value of our staple commodity, lowered by over-production in other quarters and the consequent diminution in the value of your lands, were the sole effect of the tariff laws. The effect of those laws was confessedly injurious, but the evil was greatly exaggerated by the unfounded theory you were taught to believe, that its burdens were in proportion to your exports, not to your consumption of imported articles. Your pride was roused by the assertions that a submission to these laws was a state of vassalage, and that resistance to them was equal, in patriotic merit, to the opposition our fathers offered to the oppressive laws of Great Britain. You were told that this opposition might be peaceably—might be constitutionally made—that you might enjoy all the advantages of the Union and bear none of its burdens. Eloquent appeals to your passions, to your State pride, to your native courage, to your sense of real injury, were used to prepare you for the period when the mask which concealed the hideous features of DISUNION should be taken off. It fell, and you were made to look with complacency on objects which not long since you would have regarded with horror. Look back to the arts which have brought you to this State—look forward to the

consequences to which it must inevitably lead! Look back to what was first told you as an inducement to enter into this dangerous course. The great political truth was repeated to you that you had the revolutionary right of resisting all laws that were palpably unconstitutional and intolerably oppressive—it was added that the right to nullify a law rested on the same principle, but that it was a peaceable remedy! This character which was given to it, made you receive with too much confidence the assertions that were made of the unconstitutionality of the law and its oppressive effects. Mark, my fellow-citizens, that by the admission of your leaders the unconstitutionality must be *palpable*, or it will justify either resistance or nullification! What is the meaning of the word *palpable* in the sense in which it is here used?—that which is apparent to every one, that which no man of ordinary intellect will fail to perceive. Is the unconstitutionality of these laws of that description? Let those among your leaders who once approved and advocated the principles of protective duties, answer the question; and let them choose whether they will be considered as incapable, then, of perceiving that which must have been apparent to every man of common understanding, or as imposing upon our confidence and endeavoring to mislead you now. In either case, they are unsafe guides in the perilous path they urge you to tread. Ponder well on this circumstance, and you will know how to appreciate the exaggerated language they address to you. They are not champions of liberty emulating the fame of our Revolutionary fathers, nor are you an oppressed people, contending, as they repeat to you, against worse than colonial vassalage. You are free members of a flourishing and happy Union. There is no settled design to oppress you. You have, indeed, felt the unequal operation of laws which may have been unwisely, not unconstitutionally passed; but that inequality must necessarily be removed. At the very moment when you were madly urged on to the unfortunate course you have begun, a change in public opinion has commenced. The nearly approaching payment of the public debt, and the consequent necessity of a diminution of duties, had already caused a considerable reduction, and that, too, on some articles of general consumption in your State. The importance of this change was underrated, and you were authoritatively told that no further alleviation of your burdens was to be expected, at the very time when the condition of the country imperiously demanded such a modification of the duties as should reduce them to a just and equitable scale.

But, as apprehensive of the effect of this change in allaying your discontents, you were precipitated into a fearful state in which you now find yourselves.

I have urged you to look back to the means that were used to hurry you on to the position you have now assumed, and forward to the consequences it will produce. Something more is necessary. Contemplate the condition of that country of which you still form an important part; consider its government uniting in one bond of common interest and general protection so many different States—giving to all their inhabitants the proud title of **AMERICAN CITIZEN**—protecting their commerce—securing their literature and arts—facilitating their intercommunication—defending their frontiers—and making their name respected in the remotest parts of the earth! Consider the extent of its territory, its increasing and happy population, its advance in arts, which render life agreeable, and the sciences which elevate the mind! See education spreading the lights of religion, morality, and general information into every cottage in this wide extent of our Territories and States! Behold it as the asylum where the wretched and the oppressed find a refuge and support! Look on this picture of happiness and honor, and say, **WE, TOO, ARE CITIZENS OF AMERICA**—Carolina is one of these proud States her arms have defended—her best blood has cemented this happy Union! And then add, if you can, without horror and remorse, this happy Union we will dissolve—this picture of peace and prosperity we will deface—this free intercourse we will interrupt—these fertile fields we will deluge with blood—the protection of that glorious flag we renounce—the very name of Americans we discard. And for what, mistaken men! For what do you throw away these inestimable blessings—for what would you exchange your share in the advantages and honor of the Union? For the dream of a separate independence—a dream interrupted by bloody conflicts with your neighbors, and a vile dependence on a foreign power. If your leaders could succeed in establishing a separation, what would be your situation? Are you united at home—are you free from the apprehension of civil discord, with all its fearful consequences? Do our neighboring republics, every day suffering some new revolution or contending with some new insurrection—do they excite your envy? But the dictates of a high duty oblige me solemnly to announce that you can not succeed. The laws of the United States must be executed. I have no discretionary power on the subject—my duty is emphatically pro-

nounced in the Constitution. Those who told you that you might peaceably prevent their execution, deceived you—they could not have been deceived themselves. They know that a forcible opposition could alone prevent the execution of the laws, and they know that such opposition must be repelled. Their object is disunion; but be not deceived by names; disunion, by armed force, is TREASON. Are you really ready to incur its guilt? If you are, on the head of the instigators of the act be the dreadful consequences—on their heads be the dishonor, but on yours may fall the punishment—on your unhappy State will inevitably fall all the evils of the conflict you force upon the government of your country. It can not accede to the mad project of disunion of which you would be the first victims—its first magistrate can not, if he would avoid the performance of his duty—the consequence must be fearful for you, distressing to your fellow-citizens here, and to the friends of good government throughout the world. Its enemies have beheld our prosperity with a vexation they could not conceal—it was a standing refutation of their slavish doctrines, and they will point to our discord with the triumph of malignant joy. It is yet in your power to disappoint them. There is yet time to show that the descendants of the Pinckneys, the Sumpters, the Rutledges, and of the thousand other names which adorn the pages of your revolutionary history, will not abandon that Union to support which so many of them fought and bled and died. I adjure you, as you honor their memory—as you love the cause of freedom, to which they dedicated their lives—as you prize the peace of your country, the lives of its best citizens, and your own fair fame, to retrace your steps. Snatch from the archives of your State the disorganizing edict of its convention—bid its members to re-assemble and promulgate the decided expressions of your will to remain in the path which alone can conduct you to safety, prosperity, and honor—tell them that compared to disunion, all other evils are light, because that brings with it an accumulation of all—declare that you will never take the field unless the star-spangled banner of your country shall float over you—that you will not be stigmatized when dead, and dishonored and scorned while you live, as the authors of the first attack on the Constitution of your country!—its destroyers you can not be. You may disturb its peace—you may interrupt the course of its prosperity—you may cloud its reputation for stability—but its tranquillity will be restored, its prosperity will return, and the stain upon its national character will be trans-

ferred and remain an eternal blot on the memory of those who caused the disorder.

Fellow-citizens of the United States! the threat of unhallowed disunion—the names of those, once respected, by whom it is uttered—the array of military force to support it—denote the approach of a crisis in our affairs on which the continuance of our unexampled prosperity, our political existence, and perhaps that of all free governments, may depend. The conjuncture demanded a free, a full, and explicit enunciation, not only of my intentions, but of my principles of action; and as the claim was asserted of a right by a State to annul the laws of the Union, and even to secede from it at pleasure, a frank exposition of my opinions in relation to the origin and form of our government, and the construction I give to the instrument by which it was created, seemed to be proper. Having the fullest confidence in the justness of the legal and constitutional opinion of my duties which has been expressed, I rely with equal confidence on your undivided support in my determination to execute the laws—to preserve the Union by all constitutional means—to arrest, if possible, by moderate but firm measures, the necessity of a recourse to force; and, if it be the will of Heaven that the recurrence of its primeval curse on man for the shedding of a brother's blood should fall upon our land, that it be not called down by any offensive act on the part of the United States.

Fellow-citizens! the momentous case is before you. On your undivided support of your government depends the decision of the great question it involves, whether your sacred Union will be preserved, and the blessing it secures to us as one people shall be perpetuated. No one can doubt that the unanimity with which that decision will be expressed, will be such as to inspire new confidence in republican institutions, and that the prudence, the wisdom, and the courage which it will bring to their defense, will transmit them unimpaired and invigorated to our children.

May the Great Ruler of nations grant that the signal blessings with which He has favored ours may not, by the madness of party, or personal ambition, be disregarded and lost, and may His wise providence bring those who have produced this crisis to see the folly, before they feel the misery, of civil strife, and inspire a returning veneration for that Union which, if we may dare to penetrate His designs, He has chosen, as the only

means of attaining the high destinies to which we may reasonably aspire.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed, having signed the same with my hand.

Done at the City of Washington, this 10th day of December, in the year of our Lord one thousand eight hundred and thirty-two, and of the independence of the United States the fifty-seventh.

ANDREW JACKSON.

By the President.

EDW. LIVINGSTON, Secretary of State.



THE GREAT

UNFINISHED PROBLEMS OF THE UNIVERSE,

WITH THE MOTIONS OF THE SUN AND THE PLANETS THROUGH SPACE,
AND THE DETERMINATION OF THE CENTER OF THE
STELLAR UNIVERSE.

A Lecture delivered Saturday Evening, January 29th, 1859, at the Academy of Music, New York, by Prof. O. M. Mitchell, of Cincinnati, for his own benefit, upon an invitation of the audience given on the occasion of the conclusion of his Course of Five Popular Lectures on Astronomy.

Previous to the Lecture, a series of Resolutions, with reference to the erection of an Astronomical Observatory in the Central Park in the City of New York, was offered by Prof. Loomis, and seconded in an eloquent speech by Prof. Davies, in the course of which a high tribute of praise was paid to Prof. MITCHELL. The Resolutions were unanimously adopted. Prof. MITCHELL was then introduced by the Hon. Luther Bradish, and spoke as follows :

I KNOW not how to answer in fitting terms the greeting of this night. The honorable and flattering allusion which has been made to me by my old preceptor and personal friend I can not respond to. His feelings of kindness and affection for an old pupil have carried him far beyond the just limits which should have restrained his remarks. I appreciate his motives, but I aspire not to the high eminence upon which, in the kindness of his heart, he has sought to place me.

I have been called hither by the invitation of a number of personal friends and strangers to speak in behalf of Science. I came humbly at the call, and was told that I was to address a multitude in this vast building ; but had I known the responsibility which has been imposed upon me, I am confident I could not have mustered the courage necessary to have passed the thousand miles of interval which separates your city from my home. I am happy, however, that I am here. Notwithstanding stormy and tempestuous wea-

ther, I have been greeted night after night by your kind faces, until I have learned to feel that, in some sense at least, you are all my personal friends. I have further evidence of this friendship in the fact that you are here again to-night, at the termination of a long and perhaps tedious course of lectures, and I thank you one and all from the very depths of my heart for this manifestation of your good-will.

If I have succeeded in contributing in the slightest degree to the advancement of that great movement which has been auspiciously inaugurated to-night, I shall esteem it the proudest effort of my life; and if some biographical sketch shall ever mark to posterity the fact that I ever lived, upon the page that contains the record, I would point my children to that paragraph which says, "Your father was in the outset connected with this grand enterprise"—an enterprise which I trust is to eventuate in the erection of the noblest and proudest structure that has ever been reared upon the surface of the globe to the science of the stars. (Applause.)

Permit me, as a stranger, to say a word or two with reference to this movement.

It is utterly useless, Mr. President and Gentlemen of the Committee, for you or for the great city of New York to attempt anything less than the erection of the noblest Observatory in the world. I do not believe that the people of this city would be satisfied with anything less; and you have the power, you have the means, you have the ambition, you have the skill, to accomplish whatever you resolve to do.

When I stood, some fourteen years ago, in my own little city before a multitude like the one which I now have the honor of addressing, and there for the first time lifted my voice in behalf of the erection of a noble structure, whose chief ornament should be one of the grandest instruments that science and skill has ever produced, I ventured to make an appeal of this kind: The Old World looks with comparative contempt upon the profound ignorance and inertness of the New. They point to us and say, Yonder is activity, and strength, and power, and vigor, but it is all put forth to grasp the almighty dollar. And when I stood before that great assemblage and said, Let us rescue our country from the stain

that is thus resting upon it—let us show to the crowned heads of Europe that free, independent, republican America can take the lead even in Science itself, the response to my appeal afforded the most gratifying evidence that in the end this grand object would be accomplished. What is the result? A short time after the commencement of the undertaking—and at that day there was scarcely an Observatory in our country—I visited Europe. I went to Munich, the great center for the construction of these mighty instruments, and there I stood in the presence of the successors of old Fraunhofer and Utzschneider. I said to them, “Your predecessors sold to the Emperor of Russia the great Equatorial Refractor.” And why? Simply because they desired that their skill and handiwork, displayed in this masterpiece, should fall into the hands of some profound astronomer, and thus give them a world-wide reputation. “Sell to me,” said I, “poor simple republican that I am—and yet one of the nobles of our land—this mighty refractor, equal to almost any other in the world, at cost, in like manner, and I will guarantee that in the next ten years you will get more orders from the United States than all the other countries of the world together.” They would not make the sale on these terms, and yet during that time they have received more orders from this country than from all others, and we have built more Observatories and erected more magnificent instruments than all the world besides. Now, our scientific men stand on the same high platform with those of Europe. They hail us as brothers in this grand and noble crusade against the stars. We are moving on together—a solid phalanx; the watch-towers are rising all over the earth, and the grand cry is, Onward! It is echoed from Observatory to Observatory. The sentinel is everywhere posted, and do you not mean to post one on your rocky heights? (Applause.) I know you do.

I come now to the discussion of the subject appropriated to this closing lecture; and in doing so, I can not sever this one from the others, but must regard myself as addressing the same audience, and this lecture as a continuation simply of those which have already preceded it.

I am to speak of the Unfinished Problems of the Universe.

This would seem to imply that there are some which are finished; but I know of none such absolutely. I believe that we are now permitted to announce that the great law of universal gravitation reigns throughout our solar system with absolute command and power. I believe that we can, almost with certainty, announce that its dominion reaches to the fixed stars; and when this is uttered, I think that I have told you all the problems that are finished in the astronomical world.

When we come to the examination of our own system, when we come to inquire whether we have determined the actual and positive movements of the sun, whether we have reached to the precise and critical knowledge of the movements of any planet, whether we are able to predict with absolute precision the place of any one of these revolving worlds, I answer, it has not been done.

All we have accomplished is an approximation to perfection. We are moving on from year to year, and every year increases the perfection with which we are enabled to trace out the movements of these wandering worlds.

Let me exemplify this matter by reference to one single phenomenon. About two hundred years ago, one of those who devoted themselves to the examination of the revolving worlds—one of the followers of old Copernicus—thought he had sufficiently examined the movements of Mercury to predict the fact that it would cross the disc of the sun, and be seen upon the solar surface as a dark, round spot. His computations, however, were such that he felt he must give himself a limit of about five days. Think of it—a limit of five days!

Now, as the planet occupies but a few hours in crossing the disc of the sun, if within this time it should happen that the transit should occur in the night, the astronomer would of course lose the opportunity of verifying his prediction. He watched, therefore, during these days with an intensity which you can scarcely comprehend; and at last his eye was greeted, and his heart gladdened, by finding the planet, true to his prediction, upon the disc of the sun.

But another period of eighty or ninety years in the history of

Science rolls away. The astronomers of Paris are all deeply interested and excited with the approach of another of these transits of Mercury. Their computations were such that they believed they could rely upon them within—not five days—but five hours of the time. The sun was to rise with Mercury upon his disc. The morning arrived, and, armed with their telescopes, they were waiting to verify their computations; but the clouds intervened between them and the sun, and when he rose he was utterly and absolutely invisible. They waited and watched, hoping the clouds would break away and give them the long-coveted opportunity of verifying their computations; but the limit of time rolled away, and the clouds did not disappear. At length, one after another becoming weary with the watch, yielded up in despair, left his post, and entirely abandoned the observation. But one more doubtful of the computation than the others watched on. At last there came a little rift in the clouds. Through that chasm he hurriedly sent out his telescopic ray, and there, on the rim of the sun, clung the round, black disc of Mercury, telling him precisely within what limit of time their computations were in error.

Five hours was the limit required at that time. We come down to a later period. The Observatory of which I have had the honor of the direction, so far as the building, and the mounting of a single instrument were concerned, was completed in 1845.

In May of that year it was announced that Mercury would again cross the disc of the sun. It was the first observation I ever attempted to make. I had computed with all the delicacy in my power the exact moment when the dark planet would touch the brilliant rim of the sun. I had gone yet further, and computed the exact point on the tremendous circumference of the sun where the contact would take place—for remember, the power of this telescope is so great, that the sun swells out with such tremendous magnitude, as to literally and absolutely cover the whole heavens from horizon to horizon, could it all be taken into the field of vision at one view. The point of contact was brought within the field of vision of the telescope. The eventful day arrived, and the sun rose bright and glorious. Not a cloud stained the deep blue of the heavens. As the hours rolled by, and the time

approached, there I was, with feelings such as you can not conceive, understand, or comprehend. My assistants were around me, ready with their chronometers to mark the moment of contact. I hoped and believed that our tables and computations were so accurate that five minutes of time would be a sufficient limit, and five minutes before the appointed time I took my place at the great telescope. There I waited and waited, until it seemed as if an age had gone. I called out, "Surely the time is passed—what of the time?" "Only a single minute!" Second by second, only a minute had rolled away. It seemed as though hours had been sweeping slowly by. Again I took my watch and waited, until again it seemed as though an age had passed. "Surely," said I, "the time is gone." "No—another minute yet." At last I caught the black disc of the planet just impinging upon the bright rim of the sun—in the limits of a minute? No; but *within sixteen seconds of the computed time!* (Applause.)

You see, then, the possibility of advancement. This was not my work, but it was the work of another—Le Verrier. Le Verrier had taken up the movements of the planet Mercury, and with a power and precision of investigation never surpassed had corrected the previous tables, and reduced the theory within such limits that it had now become possible to make these delicate predictions. Do not imagine, however, that after your great Observatory shall have been erected, there is nothing to do. There is everything yet to do. Reduce these sixteen seconds down to the tenth part of a second of time. Cut it down, and when you have cut down all other errors in like manner and proportion, you will be able to fix the longitude and latitude of your ship at sea, bearing your merchandise and precious freight to all the markets of the habitable globe, and they will wing their way over the trackless deep in perfect and absolute safety.

I will now direct your attention to the subject specifically assigned for this evening—the great problem of the movement of the Stellar Universe. In the course of my preceding lectures I have already given you some idea of the train of investigation which has led astronomers to adopt the theory that our solar system is sweeping with tremendous velocity through space, and moving at

such rate that it passes over one hundred and fifty-four millions of miles every year.

Up to the present time no one has ventured to say what the character of this motion is. We are moving toward a certain point, and that point is only approximately known. Are we moving in some mighty curve? Are we moving in some vast circle? Are we sweeping in some tremendous ellipse? or are we moving in a simple right line toward the point whither the sun is urging his flight? If the sun is indeed moving in any vast circumference, so soon as we can determine the fact, and get a portion of its mighty curve, so soon as we can get a portion sufficient to determine the plane in which it lies, then somewhere in that plane, in the depths of space, will be found the mighty center about which the sun and solar system are revolving.

Up to this time, however, we have no knowledge on the subject. All we can say is this, that if this (illustrating) be the direction in which the sun is moving, and perpendicular to this line we describe a plane entirely around the heavens, cutting from the solar sphere a circle, somewhere in that mighty circle will be found the center about which the sun is revolving.

Within a comparatively short time the attention of astronomers has been directed to an investigation with which this is specifically combined, and it is nothing more nor less than this grand question: Is there, in the whole starry heavens by which we are surrounded, any great central body, any mighty controlling orb, which holds a proportion to the bodies by which it is surrounded, such as our central sun holds to the planets which sweep around it? Looking at our own system, and supposing this was by possibility a sort of picture hung up in the heavens on a miniature scale, in order that there might be realized in the starry firmament with which we are allied another mightier system, of which all the stars should constitute the sweeping planets, and in the center of the whole some grand controlling orb, magnificent in its proportions, grand in the quantity of matter which it contains, vast in its outline and circumference, and sufficient to hold these mighty worlds and to produce harmonious and perfect movement throughout the Stellar Universe—is there such an orb existing in space?

I answer, there is not. Why? Because we are enabled by the telescope to penetrate space in every possible direction. Ah!—you may answer—but you can only bring into your telescope the light that comes from luminous bodies, and if this vast central orb is non-luminous, your telescope fails, and you can accomplish nothing; and when you state that such a body does not exist, you state what you do not know.

There is another method by which we may acquire a knowledge of the facts in this case. If it is true that this mighty orb exists in space somewhere, surrounded by all these glittering stars, even if it be opaque, and sends to us no light, if it has the attractive power which belongs to our own sun, and if it be energized by this mighty power of universal gravitation which holds these starry worlds in its grasp, then we are enabled by means of the telescope to detect that fact, because in the immediate vicinity of this central body the stars will sweep more rapidly under its gigantic power than those at a greater and still greater distance—just as the planets nearest to our sun revolve with greater velocity than those which are more remote.

Now we have examined the whole starry heavens, we have mapped out these heavens, and located these stars. We know where they were at the beginning of this century; we know where they are now. We know the amount of change which has taken place, and in case there was one region in which stars are more rapidly moving than in another, we have a sufficient knowledge of the heavens to detect this point in space. We are therefore enabled to pronounce that such a mighty central orb does not exist anywhere throughout the Universe of fixed stars with which we are allied.

There being no such body, you may of course conclude that there can be no revolution around a center. That does not follow. Let me tell you why.

A few years only have passed away since an astronomer commenced the examination of what is called "double stars." Sir William Herschel is again the pioneer in this field of investigation, and he tells us that when he began he gathered from all the catalogues of which he had any knowledge a list of all the "double

stars" then known. I think the list consisted of about five. Since that time it has been increasing with tremendous rapidity. He himself ran it up to hundreds; his son, who succeeded him, ran it up to thousands. After a while Struve, who had charge of the great refractor at Dorpat, gave his whole observing energy to this one department of the heavens, and the result has been that he has published a catalogue, in some sense, almost without number, of these double stars, which exist strewn richly throughout the regions of space.

Now, we find, after a rigorous examination of these double stars, that it is utterly impossible for us to suppose that they are optically united, that they are accidentally so located in space that they are so close together as to give the appearance of union; and when we come to apply what is called the calculus of probabilities, we find a limit within which this possible optical appearance may occur, and everything beyond or inside of this limit must be a physical union. The stars are not merely accidentally located in this way; they are combined, the one with the other, each energized by the power of gravitation, and the two revolving about their common center of gravity. Now, this announcement which I make, extraordinary as it may appear to those who have not hitherto investigated it, has been fully carried out and verified by observation. We trace these revolving suns in their orbits until, under the gaze of man, some of them have performed entire revolutions. Many others are far advanced. Astronomers have gone yet farther, and, applying the great law of gravitation and the laws of motion, have actually predicted their periods—have given us an ephemeris which should mark the place of these bodies in coming time, and these predictions have been verified, so that we have these revolving orbs scattered throughout the heavens; some rapidly sweeping through space in periods shorter than the periods or revolutions of our own planetary orbs; others rising in grandeur and magnificence until we find their periods reaching by possibility millions of years.

Let me call your attention to a single example. There is a quadruple star in the constellation Lyra—two double stars—the periods of which have been determined comparatively, and we find

that one double set is revolving in this manner about the other—all of them sweeping through space and performing this mighty revolution in a period of not less than a million of our years. But you may ask me, how is it possible to decide such a question as this—how can it be done? First, we announce that these bodies are physically united, from the fact that they are all moving together in one common direction, with one equal velocity through space. I do not refer now to their movements or revolution about each other. I refer to a common proper motion, a sort of tie carrying these bodies off bodily together. It is utterly impossible that they should be carried off together unless they were physically united. They make up a mighty system, and when we come to measure the distance by which these bodies are severed, it is possible to determine roughly the period of revolution which must by necessity make up the vast time which is required for them to sweep entirely around. Thus we find that there is a diversity in the constitution of this universe, such as we find surrounding us everywhere upon the face of the planet that we inhabit. We may anticipate, therefore, schemes and systems rising one above another, each as diverse from the other as are the plants and animals that grace, dignify, and beautify the earth. So it is in the heavens. Here we have bodies of all possible kinds and characters.

If we take the telescope and look out upon the universes by which we are surrounded, we find them diversified in every possible way. Our own mighty Stellar System takes upon itself the form of a flat disc, which may be compared to a mighty ring breaking out into two branches, severed from each other, the interior with stars less densely populous than upon the exterior. But take the telescope and go beyond this; and here you find, coming out from the depths of space, universes of every possible shape and fashion; some of them assuming a globular form—and when we apply the highest possible penetrating power of the telescope—breaking into ten thousand brilliant stars, all crushed and condensed into one luminous, bright, and magnificent center. But look yet farther. Away yonder, in the distance, you behold a faint, hazy, nebulous ring of light, the interior almost entirely dark, but the exterior ring shaped and exhibiting to the eye, under the most pow-

erful telescope, the fact that it may be resolved entirely into stars, producing a universe somewhat analogous to the one we inhabit. Go yet deeper into space, and there you will behold another universe—voluminous scrolls of light, glittering with beauty, flashing with splendor, and sweeping a curve of most extraordinary form and of most tremendous outlines. What is the meaning of all this? Nothing but the diversity with which the Almighty Architect has chosen to mark the superstructure by which we are surrounded. So that we may anticipate all the diversity that exists here on the earth and in the heavens beyond us in the system with which we are allied.

Is it then possible for us to find a center about which the whole Stellar Universe may be revolving? Admitting that there be no central orb there, admitting that there be no grand, central, controlling body, can we find a common center of gravity of the whole entire system? I doubt not that the time will come when this question will be answered in the affirmative. I trust the resolution of this great problem will be contributed to by your own Observatory with others that rear their summits toward the heavens, and from which the sentinel is looking out upon these deep, blue skies, marking the movements of these wondrous orbs. But a long time must roll away before we shall gather all the data necessary to give us the exact solution of this great problem. But a solution has been commenced; it has been attempted by one of the most distinguished astronomers of Europe, the successor of Struve, at the great Observatory at Dorpat—Maedler—who has distinguished himself in the astronomy of the double stars, and who, by his computations, examinations, and investigations, has placed himself on a level with the most distinguished men of the age.

I speak thus highly of Maedler because his theory is not now adopted by the best minds of the world. They are scarcely willing to accept it as yet. This was true with regard to the theory of Sir William Herschel, when he announced that there was a point toward which the solar system was sweeping in space, and he believed that he had found it. Years, scores of years rolled away before this was received, but it was a pioneer announcement—the announcement of a brave, bold, and daring mind, one that

dared to speak, no matter whether the world listened or not; and now we see the result. Then this German astronomer, in the service of the Emperor of Russia, dared to put forth this grand conception of his; whether it be sustained or not, is a question which posterity has to resolve.

Let me give you some of the train of reasoning which he adopted in attempting to fasten the point about which the whole Stellar Universe is revolving, and our own sun among the number. First, then, the Herschels have revealed to us the figure of the great stellar stratum to which we belong. We know that the stars are condensed in a certain plane, which we call the Galactic Circle. They are more numerous there; they are nearer together there, and heavier, in some sense, when you come to take the mass within a given area, than you find in any other region. Now suppose this to be that plane. As we rise above it, toward the North, the stars grow fewer in number in a given space; they are more widely separated from each other, in some sense, and the stratum is comparatively shallow in that direction, as it is down below, toward the South. We are now enabled to determine the position of our own sun in this stratum, and we find it comparatively central in its location, and that we are nearer to the South than the North. Now, if this be true, we may anticipate that the center of gravity will lie toward the North. I have already announced that we have determined the direction of solar motion precisely. If we sweep a circle perpendicular to this plane round the whole heavens, somewhere in the region of this circle we may hope to find the center about which our own sun is revolving, and if we find this center, it is the common center of gravity of the entire scheme of stars.

Such was the nature of the research which first guided Maedler in his examinations. He began by looking at various large stars in the heavens. His approximate observations led him to the region of the constellation "Taurus." He first commenced by supposing that by possibility the brilliant star in the eye of the Bull—"Aldebaran"—might be the central sun, but a rigorous examination soon demonstrated that this could not be so. He then looked a little farther toward the South, and there he beheld that mighty and beautiful cluster of stars which we call the Pleiades.

Seven of them are visible to the naked eye; but when we turn the telescope upon this cluster, we find hundreds coming up to greet the vision of man, presenting one of the most beautiful and magnificent spectacles that is to be found in the whole heavens. Here is, then, a vast multitude of clustering worlds, and in the center of this cluster a bright and brilliant star, named by astronomers Alcyone. Maedler thought that by possibility this might be the center. How should he then undertake to verify the truth of this hypothesis? He began by a critical examination of what is called the *proper motion* of all the stars composing this cluster—all of them that had been mapped down; and it happened fortunately that this particular cluster had engaged the attention of Bessel, with his great heliometer. Many years before, he had fastened the places of some fifty or sixty with wonderful delicacy and precision, and by comparing Bessel's observations with those of other astronomers that preceded him, and of others that followed him, it became possible to determine the amount of proper motion belonging to each and every one of these stars. Now, when the proper motion is examined, it is found to be almost identical for every one of them. Here is a most remarkable fact. Suppose these stars not to be associated in any specific manner; suppose them to be grouped together by chance, if you please. Why should they, in consequence of the movement of our own sun through space, all of them appear to sweep away together? This is utterly and absolutely impossible in one sense, unless you suppose them all to be crowded and condensed together, so as to become, in some sense, a solitary body.

It is just as if you were sweeping along the line of a railway, and should see far off in the distance a little cluster of trees. By comparing their places with some more remote object, they might all appear to move together toward you. But suppose this cluster of trees should be expanded, separated, severed, and swept out to greater distances; then, you perceive the motions would be all different. Fixing your eye upon a distant object, one of these trees would move with a certain velocity, and another with a different velocity, and another with a still different velocity. And so in sweeping out the telescopic ray to this mighty cluster of stars

in the Pleiades, they ought to appear to change; they ought to seem to sever, the one from the other, if it be only occasioned by the fact that they are located in a sort of line in this way, some near to us, some in the center, and some more remote. They do not thus exhibit themselves to the eye of man. Their proper motions are all the same.

Now, if Maedler adopted the idea or hypothesis that here was the center of gravity of the universe, he could then commence a train of reasoning to verify the hypothesis. If this be the center, then our own sun is sweeping around that center, and the stars on the hither side will appear to move in a certain direction; the stars beyond will appear to move in a certain other direction; the stars on the outside of the sun's mighty orbit in opposition to it will appear to move in a certain direction; and the stars that, so far as our own sun is concerned, happen to occupy that circle perpendicular to the line of the motion of the sun, will have a certain direction of motion.

Now, it had been shown in a paper of extraordinary interest and very profound investigation, that a large number of the conditions required to make this hypothesis the true one are verified by the examinations of the telescope. I do not pretend to indorse the theory of Maedler with reference to his central sun. If I did indorse it, it would amount simply to nothing at all, for he needs no indorsement of mine. But it is one of the great, unfinished problems of the universe which remains yet to be solved. Future generations are to take it up. Materials for its solution are to accumulate from generation to generation, and possibly from century to century. Nay, I know not but thousands of years will roll away before the slow movements of these far distant orbs shall so accumulate as to give us the data whereby the resolution may be absolutely accomplished. But shall we fail to work because the end is far off? Had the old astronomer that once stood upon the watch-tower in Babylon, and there marked the coming of the dreaded eclipse, said: "I care not for this; this is the business of posterity; let posterity take care of itself; I will make no record;" and had, in succeeding ages, the sentinel in the watch-tower of the skies said, "I will retire from my post;

I have no concern with these matters, which can do me no good; it is nothing that I can do for the age in which I live"—where would we have been to-night? Shall we not do for those who are to follow us what has been done for us by our predecessors? Let us not shrink from the responsibility which comes down upon the age in which we live. The great and mighty problem of the universe has been given to the whole human family for its solution. Not by any clime, not by any age, not by any nation, not by any individual man or mind, however great or grand, has this wondrous solution been accomplished, but it is the problem of humanity; and it will last as long as humanity shall inhabit the globe on which we live and move. (Applause.)

I have been laboring myself to contribute my mite toward the resolution of this grand problem. Will you bear with me while I advert to some personalities in my own history, which are, in some sense, drawn from me by necessity, in connection with this discussion?

When the Observatory in Cincinnati was erected, when the debt which devolved upon me as an individual was finally paid off, the hope I had of sustaining the institution in connection with the college with which I was allied was, in a single hour, utterly destroyed forever. Fire seized the college-building, and in an hour all lay in ruins. The foundations of my hopes were swept away. What was then to be done? Give up the Observatory? That could not be done. I had no means; I had to depend upon my professorship. Everything I had in the world had been used up in accomplishing the building of this institution; and the only chance left me was the very one I am using to-night—to attempt to give popular lectures to sustain myself and the institution. And from that day to this I have sustained that Observatory by my lectures; and all the funds derived from the one I am giving to-night go at once into that treasury. (Applause.) I saw at a glance that I had no opportunity of attempting to carry forward a regular course of astronomical observations on a scale such as marks the movements of the great Observatories of the world. I could not come in competition with national institutions, endowed by the strong and bottomless purse of a government, imperial, kingly, or repub-

lican. I was but a solitary individual. I looked over the whole field of Science, and I finally resolved to enter the most forbidding field which presents itself to the mind of any one who devotes himself to the stars. It was nothing more nor less than to attempt to perfect the observations whereby we get the data for resolving all the problems by which we are surrounded, and to obtain greater rapidity and facility in making observations. I have been devoting myself to this one object for ten long years. What I have done I shall not speak of, except in its connection with the future movements of astronomical observations.

We have converted time into space; this was the first grand accomplishment. A second of time by the old method was marked out by the beats of a clock. When the observer desired to fasten the precise moment at which his star crossed the meridian wire of the telescope, fixing his eye upon the star, with his ear he took up the beat of the clock. This was the exact order of observation. He commences his count—"Five, six, seven, eight, nine;" and between "nine" and "ten" the star passes the meridian wire. He divides the space over which the star appears to pass in a second of time into ten equal parts, as nearly as he can, and enters in his note-book that the star passed the meridian wire at so many hours, so many minutes, so many seconds, and so many tenths. That was the old method. If the astronomer were called upon to mark the passage upon many wires, as is often done in a transit instrument, when he shall have obtained the passage of the first wire, he stops and enters it in the note-book. He must keep the count of the clock, and he must keep his eye upon the star; and his attention is divided between a variety of objects.

Now, by the new method, the clock records its own beats, takes care of itself; and the astronomer has nothing to do with it. An electro-magnet under the control of the pendulum of the clock (which by its motion, swinging backward and forward, moves a delicate wire upon an axis, so as to dip it at every swing into a cup of mercury, and close the circuit) brings a point down, and strikes a dot upon the disc revolving with uniform velocity to meet it; so that at the end of every second a dot is struck upon this disc; and thus, dot by dot, every second of time is formed into space.

Then, taking up the micrometer, we may cut the intervals between the dots into ten thousand parts; and thus we divide them down to any degree of exactitude we may demand.

When this great experiment was made in the outset, I attempted to unite this little piece of revolving wire, moving up and down, with the telescope, by some material sufficiently delicate and perfect to accomplish the result. I found it next to impossible to get any material which would answer the purpose. So delicate had the wire to be, that a single fiber or filament of silk, or a single human hair as fine as ever graced the head of beauteous maiden, was all too coarse for this purpose. It had not the requisite spring for such a delicate movement; and when this point dipped into the mercury it rebounded, and there were several touches instead of one. At length I went again to my old friend the spider, and asked him to aid me in this dilemma. I spun from him a web, which for three long years in every second of time was expanded and contracted, and performed the mighty service of uniting literally and absolutely the heavens with the earth. (Great applause.)

Now, what is the new method of observation? When the star enters the field of view, the observer, located at his transit instrument, has near him a magnetic key, such as belongs to all the telegraphic offices in your city. That key being struck, brings down a pen-point by the action of electro-magnetism. Here [illustrating] is the revolving disc; here the steel point; and when the key is touched, down comes the point, and striking upon the disc rebounds instantly, and the disc moves on uninterruptedly; and thus you have time, from second to second, converted into space upon the circumference of the disc. When one circumference of the disc is full, the disc moves itself on a little railway track just far enough to present a new circumference for another line of dots; and when the disc is filled, you have a perfect time-scale, absolute in its character, on which the clock, by automatic power, has recorded its own beats, and made a perfect record of itself. On that disc, by another magnet, another point is drawn down, and strikes, at the will of the observer, the precise moment at which he marks the transit of the star across his meridian wire; so that all he has

to do is this : Take his place at the telescope, watch the coming of the star, pay no attention to the clock (for that takes care of itself), and at the exact instant at which his eye catches the bisection of the star by the wire, touch the key, and the record is made, and all is done. Thus you perceive that, by this new method, the astronomer is relieved from a large amount of intense responsibility resting upon him by the old method, wearing out his nerves, destroying his system, and rendering him, at the end of a certain time, incapable of continuing his observations. Another advantage gained, is that we may introduce as many wires as we please upon which to mark the transit of the stars, and thus reduce our observation to as great a degree of precision as we may desire. By the old method, remember, the observer is compelled to stop after the passage of one wire, and record the observation ; and while he is doing that, the star is going on. By the new method, he has nothing to do but to touch a key, and the observation is recorded. Such is a rough outline of this new method of astronomical observation. So perfect is this method, that we read from the disc with the utmost possible facility ; and we have conducted this examination in such a manner that now the thousandth part of a second is a quantity of time which we appreciate and employ every day.

If you will permit me, I will continue for a few moments longer to give you some of the details with regard to these new methods. Soon after the application of these new methods, it was manifest that we could, by the magnetic telegraph, determine the difference of longitude between two places with wonderful precision. Here is one of the greatest triumphs of modern science. When we reflect upon the results reached by the telegraphic communication between distant points in the determination of longitude, it seems positively as though modern science and skill paid no longer any attention to time ; that it just crushed, crowded, and condensed a hundred years into a single hour ! And it has been done. You go now and examine and determine the difference of longitude between the great Observatory of Paris and that of Greenwich, and you will find that by the telegraphic method, by these new means, we get better results in a single hour of one night than had been reached by all preceding time, although they had worked for two

hundred years. So you perceive that in this particular department of Astronomy, in linking together the different observatories of the world, we have now an advantage that no old astronomer ever possessed. I myself have been somewhat engaged in this kind of work. The process is so exceedingly simple that I believe this entire audience will go with me and understand it without any difficulty.

Suppose the object were to determine the difference of longitude between this city and Philadelphia. The city which is farthest east will have a meridian such that the star will cross earlier than in the western one. Now, suppose the two observers are in telegraphic communication, and that there is a disc at each extremity receiving clock-beats. The observer in New York signalizes his friend in Philadelphia, and says, "The star is coming up to New York—look out!" and standing by the telegraph, the instant the star passes his meridian, he strikes the magnetic key, and the moment it is recorded on his disc it is recorded in Philadelphia. Then the Philadelphian waits until the star comes into his field of view, and he signalizes his friend in New York that the star is in the field of view; and the moment the transit occurs, he strikes the key, and the record is made. The interval of time between the two records is the difference of longitude. The process is perfectly simple; there is no sort of difficulty about it; you all comprehend it. (Applause.)

There are now two delicate questions yet to ask. The difference of longitude is actually obtained upon the supposition that all is perfect, and that this swift-winged messenger, the lightning, has flashed from one point to the other with infinite velocity. If it do not travel with infinite velocity, if it has lagged at all by the way, in communicating the messages, that amount of error will be entailed upon the result. Then it becomes necessary to investigate the great problem—With what velocity does the electric current flash along the wire?

I have had the opportunity of investigating this problem myself. I worked at it with an intensity of interest which you can scarcely comprehend, alone as I was—buried, in some sense, in a wilderness—with no one to sympathize with me in these strange investigations. I succeeded, however, in surrounding myself with a

number of assistants who took a deep interest in this matter. I secured a telegraphic communication of wire entirely around from Cincinnati to Pittsburg and back again, in order to determine whether electro-magnetism accomplished the circuit of 607 miles of wire instantaneously, or whether it took some time. My disc was prepared, and the clock-beats were being received upon it. I arranged in such a manner that two pens should record upon a metallic disc by steel points, by the most delicate dots imaginable, the time for the passage of the electric current. Then I prepared inside the Observatory a short circuit of six or eight feet of wire, and to that battery I gave the identical intensity which belonged to the battery for the long circuit. I then arranged in such a manner that I could interchange these two points with each other, making one move with the long circuit and the other with the short, at pleasure. Having arranged the whole apparatus, I watched with the deepest interest to see whether the clock-beats, as recorded by the two pens upon the disc, would fall at the same moment of time, or whether an interval would exist which the eye or the ear could detect. But when the pens fell, it wanted a keener and sharper ear than mine to detect any difference. I then looked to see whether the dots struck were in a straight line radiating from the center of the disc; but with the most rigorous examination I could make, I could discover no difference. I was compelled to restrain my curiosity until the night should pass and the daylight come again. Then, with an instrument constructed for the purpose of measuring the thousandth part of a second, I measured the interval between the two dots—those struck by the *long*, and the others by the *short* circuit. I found invariably the same result in more than a thousand observations.

How much time do you suppose it took the electric current to flash around the 607 miles of wire? I give you my own result. I divided a second into one thousand equal parts; and that journey was performed in twenty-one of those parts—in twenty-one thousandths of one second of time. (Applause.)

But there is another difficulty in this process, growing out of the fact that the observers who make the record, who send the signals, who make the observations, may be different men. They must be

different men. (Laughter.) But they may differ literally and absolutely in their physiological organization; and we must take this into account, and investigate it and determine it, before we can reach absolute correctness. Can this be done? Let me explain this matter; it is perfectly simple.

Suppose this entire audience were here now in utter and absolute darkness, and each held in his hand a magnetic key ready to touch it at the moment that I flash upon you a flash of lightning, and on one of these revolving discs each and every one of you could record the precise moment at which you perceive the coming of this flash. Strange as it may appear, it would be found that each one makes a different record; and if you try it a thousand times, each of you will find out the peculiar organization inside—a sort of curious spiritual daguerreotype of what you are on the inside—how you are made up—and you will all be different; but the most remarkable fact is, that you will differ from what you were an hour ago! (Applause.) That is not an uncommon thing in these days, to differ in a single hour. (Laughter.)

This fact of constitution is what we call personality. When the difference between two individuals has been determined, we call it a Personal Equation. (Laughter.) What is the meaning of this? Suppose the Philadelphia observer is so constituted that he sees the star cross the wire a tenth of a second earlier than his correspondent in New York; then we must allow for that difference of a tenth of a second. You may say, "What is the use of talking about the tenth of a second?—that is nothing." It is nearly an age in astronomy! One tenth of a second of time! Why, converted into space, it is one and a half seconds of an arc! "What is that?" I tell you it is five-fold greater than the parallax of 61 Cygni, which we have been compelled to determine in order to ascertain the distance of those revolving suns. Think you that we are to neglect the tenth part of a second? I tell you if we can not measure below the tenth part of a second, and drive our errors out of the tenths into the hundredths, and out of the hundredths possibly into the thousandths, we may as well stop observing, for we have already rough data enough! (Applause.)

Now, is it possible to determine the "personality" of each indi-

vidual? I have finally succeeded in making a piece of machinery of delicate character which enables me to measure the "personality" of any individual, in a single minute of time, by his making certain observations. Permit me to explain this. Suppose this disc was revolving with uniform velocity. Now, on the edge of the revolving disc I place say ten vertical wires about an inch in length, so that they may be readily distinguished. That disc revolving, immediately behind any local, fixed position there will be a dark line just as broad as the diameter of the wire; and you yonder, looking at the moving body, with a key in your hand make the circuit of a battery such that the electro-magnet shall record the moment at which you see the passage. If that same wire is made, by dipping into a cup of mercury, to make a connection with the battery and record its own passage, the difference between its record and your own will be your peculiarity; and your personality thus comes out beyond any question. (Laughter.) In other language, if I can make the star which crosses the wire in the field of the telescope record the moment of its passage, and you do the same, the difference between the two records will be your personal equation.

This has been accomplished; but you can form no conception of the amount of time which has been devoted to it. I have studied upon this alone for three long years. This and other experiments which I have made in this connection have amounted to more than one hundred thousand. I know that they are nearly all to be thrown away. They are but the center of the mighty arch and dome which we have been attempting to rear; and when the superstructure is up and the keystone placed, we shall knock away the center, and there the work shall stand as long as time shall last. (Applause.)

I can not detain you to speak of the other departments of astronomical observation, to which I have given much attention. Suffice it to say, we are now recording the places of the stars in our Observatory with a rapidity and accuracy I think hitherto unheard of. The observer takes his place at the telescope. An assistant is located in such a manner as to read the difference of north polar distance between any assumed standard star and the stars whose

places are required, and just as fast as the stars can come into the field of view we find it possible to mark their places, and fix their position, and catalogue their magnitudes and peculiarities. Thus we are sweeping a zone of five degrees in width with an accuracy and precision equal to that of micrometric work. How many stars, think you, we are thus enabled to mark down in a single minute of time? I have taken that group of the Pleiades, and in five minutes I have fastened the places of from thirty to forty stars. In a single hour, in the richer portions of the Milky Way, in a zone of a single degree in width, I have recorded the places of more than one hundred stars. I hope, therefore, that the time is coming when the stars can not take refuge in their numbers and distance, and defy the power of man to dislodge them from the high concave in which they are entrenched. We shall grapple with them there; we shall hunt them down; we shall record their places; we shall number them as they come out from the depths of heaven under the penetrating gaze of the great telescopic eye which man has turned toward the stellar sphere! Will you do your part in this grand work? Are you ready to begin? Are you prepared to give a helping hand to the sentinel who gives his time, his talent, and all that he has on earth, to this grand and magnificent investigation?

Now, my friends, I must close this long course of lectures. We have passed from planet to planet, from sun to sun, from system to system. We have reached beyond the limits of this mighty stellar cluster with which we are allied. We have found other island universes sweeping through space. The great unfinished problem still remains—Whence came this universe? Have all these stars which glitter in the heavens been shining from all eternity? Has our globe been rolling around the sun for ceaseless ages? Whence, whence this magnificent Architecture, whose architraves rise in splendor before us in every direction? Is it all the work of chance! I answer, No. It is not the work of chance. Who shall reveal to us the true cosmogony of the universe by which we are surrounded! Is it the work of an Omnipotent Architect? If so, who is this August Being? Go with me to-night, in imagination, and stand with old Paul, the great

Apostle, upon Mars' Hill, and there look around you as he did. Here rises that magnificent building, the Parthenon, sacred to Minerva, the Goddess of Wisdom. There towers her colossal statue, rising in its majesty above the city of which she was the guardian—the first object to catch the rays of the *rising*, and the last to be kissed by the rays of the *setting*, sun. There are the temples of all the gods; and there are the shrines of every divinity. And yet I tell you these gods and these divinities, though created under the inspiring fire of poetic fancy and Greek imagination, never reared this stupendous Structure by which we are surrounded. The Olympic Jove never built these heavens. The wisdom of Minerva never organized these magnificent systems. I say with St. Paul: "Oh, Athenians, in all things I find you too superstitious; for, in passing along your streets, I find an altar inscribed, To the Unknown God—Him whom ye ignorantly worship; and this is the God I declare unto you—the God that made heaven and earth, who dwells not in temples made with hands."

No, here is the temple of our Divinity. Around us and above us rise Sun and System, Cluster and Universe. And I doubt not that in every region of this vast Empire of God, hymns of praise and anthems of glory are rising and reverberating from Sun to Sun and from System to System—heard by Omnipotence alone across immensity and through eternity! (Great applause.)

CHRISTIAN RECREATIONS AND UNCHRISTIAN AMUSEMENTS.

A Sermon by the Rev. Theodore L. Cuyler. Delivered Sunday Evening, October 24th, 1858, at the Cooper Institute, New-York.

THE passages of God's word which I bring to you this evening are as follows:

First, the eighteenth verse of the fifth chapter of Ecclesiastes.

"Behold that which I have seen: it is good and comely for one to eat and to drink, and to enjoy the good of all his labor that he taketh under the sun all the days of his life, which God giveth him: for it is his portion."

Also the third verse of the fourth chapter of first Peter; and also, finally, the thirteenth verse of the fourteenth chapter of Proverbs; which two passages flow naturally together:

"For the time past of our life may suffice us to have wrought the will of the Gentiles, when we walked in lasciviousness, lusts, excess of wine, revellings, banquetings, and abominable idolatries;" for "the end of that mirth is heaviness."

I want to discuss before you to-night, my fellow-travellers to eternity, the great subject of *Christian Recreation* and *Unchristian Amusement*. I wish to find out as far as I possibly can, what is healthful, and what is right; what is hurtful, and what is wrong; what every Christian may do, and what even a sinner ought not to do. It is a very delicate and a very difficult subject to treat; and I trust we may be guided wisely and safely through it. In order to throw light upon our theme—light from heaven, the best source of light—I have grouped before you to-night three appropriate passages of Scripture. In the first you will observe the principle that all men have a clear and undoubted right to every healthful and innocent enjoyment. God never created you or me to be wretched. Do you imagine it for a moment? He gave us possibilities of enjoyment, and ten thousand good things to enjoy. He gave me a taste for pleasant food, and pleasant food and fruit to taste. He gave me a desire for the luscious grape and sunny peach; and the grape hangs on the trellis, and the peach ripens for me in the sun-beam. He gave me a thirst for refreshing drinks; and healthful drinks he gives me with which to refresh myself; never, however, did he make this world a distillery for alcoholic poisons. He gave us a desire to be happy, and then put within our reach means, abundant means, for all pure and healthy happiness. While there is a time to weep—O my friends! these times to weep; how often they come and how long they last!—there is also a “time to laugh;” so God tells us in his book. There is a time to be cheerful, there is a time to be full of sun-shine, a time to be positively exuberant in the

out-flow of all animal spirits, in the liftings up of high mental delight, in the out-goings of pure and lofty spiritual enjoyment. This is right; this is commendable; and we shall probably see in the course of this discussion that it is necessary for our bodily, mental, and spiritual health to have just such enjoyments.

The second text brought before you is from Peter's letter to Christians of his day. He reminds them that they ought to follow Christ, which is the great idea of Christianity. He wished to remind them that they used to walk in revellings, banquetings, and excess—these things were the bitter fruits of their former ungodly tastes and appetites. They did not know any better. But now, he says, ye are the baptized ones of Jesus Christ. Now I warn you, that ye *do* know better, and you must put off the evil deeds, and live spiritually and righteously in this present evil world. You are no longer heathen but Christians, the pledged, banded and bonded followers of the holy Saviour, the professors of a pure faith, a "peculiar people," to keep your garments even unspotted from the world.

The third text is from royal Solomon. Poor old man! poor man! He ought to know (what he had found out to his sorrow) that revelling is the mother of all wretchedness, and that the end of mirth is heaviness. A heavy head, a heavy heart, a heavy load on the conscience, a heavy stupified moral sense, a heavy weight of remorse, a heavy account with God, an oppressive, crushing weight of final and everlasting retribution; these are mirth's bitter catastrophe.

Now these three texts unite in giving us a double truth for discussion. First, that Christian recreations are right,

proper, commendable, and beneficial; but that sinful pleasures are dangerous to the body and damning to the soul. Let us enlarge upon this proposition, beginning with the first truth that Christian recreations are right the world over. We have already seen that God's word does not forbid rightful enjoyments. This book is not a teacher of Popish penances, it was not written by monks, or to turn the world into a stupendous convent. The religion of the Bible is radiant with the light and the joys of heaven; there is a world of sun-shine in God's book. O troubled heart! the spirit that book inspires is never a gloomy one, nor morose. It is a libel on our holy faith to represent it as productive in itself of melancholy, or denying men any really innocent pleasures. It is not against innocent enjoyments but sinful ones, that God makes his protest. The libel is an old one. The skeptic who wants to caricature that book before a young man, and the frivolous trifler who would turn life into a long frolic and one unending carouse, repeats the stale scoff in the face of that young man, in order to seduce him into profligacy and ruin; but the Gospel is a system of life, deliverance, hope, joy in the Holy Ghost. It came to make guilty men happy by making them good, and by bringing them into peace with their God.

Now, in the very outset, I suppose that this assembly agree that we all need—that men and women, old and young—*need recreation*. Not only rest from toil—(and the people of this country are the most overworking people on earth)—but we need the occasional restorative of *recreation*. I use that word in its etymological sense: to re-create, to make a man over again as good as new.

You and I work ourselves down. Then we must be built up again. We need to unbend. We should not keep the bow always strung, else it loses its elasticity. Men were not created to be always drudges. They were to play once in a while as well as toil. All work makes a man a sorry slave. All play makes him a sorrier fool. The wise person avoids both extremes. God has not only given all powers of enjoyment, but recreation is an absolute need. I must have it, so must you. The best men have always found it so. Biographies of the most healthful Christians reveal them as unbending to an innocent sportiveness. Their grave faces relax sometimes into what the old Puritan used to call "the Christian liberty of laughing." Their over-active brains are regaled with a healthy holiday. When at work, they work like men and Christians. When at play, they unbend and sport like little children. That is nature; that is wise; that is beautiful. Martin Luther bends over that German translation of the book of God. Martin Luther elaborates his treatises against the great Romish delusion; and refreshes himself by hearing his beautiful wife, Catharina, sing sweet songs, and by decorating Christmas-trees for his children.

Granville Sharp never played more sweetly on human sympathies when he was arousing the world for the bondman, than when he used to retire from his philanthropies to play upon his flute in his terrace overhanging the Thames. Buxton is good at hunting abuses in Parliament. He is equally good in hunting with dog and gun over the English heath.

Wilberforce battles all day for God and humanity ;

labors for Bible circulation ; labors for genuine reform ; labors for Christian missions, and for India ; and then goes home to amuse his children with delightful stories, and trundles a hoop with them all around his garden at Clapham. He is as happy as a swallow. Blessed, blessed man ! he had a right to be happy, for he suffered like his Master for the suffering. Who had a better right than he, to let his soul flow out in its innocent joy ?

Now, then, we come to the practical point of this discourse : What kind of recreation do men need ? For whatever a man needs, according to his God-given nature, is right. Fix that first in your minds. Taking this as a clue in your hands, my young friends, you will be guided into the path of right and safety. The daily laborer who toils twelve out of the twenty-four hours, probably finds no recreation like simple rest. Lying down upon his bed is recreation. The Sabbath comes to him with rest ; social joys in his humble home are a part of his recreation ; an occasional hour in some free library, or listening to discourses of truth and music, is healthful recreation. The great idea with him is *Rest ! Rest !* The student wants change of occupation — physical exercise. That attenuated form of his, which bends over the book until his face becomes as bloodless as the page he scans, should go out into God's free air, and all the better for him if the hand that is idle should swing the axe, or pull the oar upon the stream. I never shall forget a walk with that greatest of modern poets—the now departed Wordsworth — over the hills which he has made immortal ; and as I saw the hale and healthful

countenance of the great bard, I understood what his servant meant when he said: "My master's study is always out of doors."

One of the acutest minds in all England—Carlyle—once vented itself in this way to me: "My greatest pleasure is to mount my horse and ride out in the teeth of the wind away from these smoky streets of London."

Commercial men—and probably most of those who hear me, are commercial men—have many methods of recreation open to the most conscientious and godly-minded. And first of all, BOOKS! books which lift the soul up to the mountain top; books which take me to Pisgah's heights, and permit me to survey the realm of God's universe; books which enliven me and lead me to the recesses of the heart; books which bring me nearer to God in all his works; books which I can make fireside companions; each one of them, as it were a vial, containing the extract and essence of a great heart. Books make the first and purest of our recreations. But, methinks, some one starts up in this house and says: "May I read books of fiction?" Yes, sir, on two conditions only: first, that you never read any but those which are pure and soul-elevating; and next that you only read those as the occasional recreation of a mind fatigued by severer duties. It is as if you ask me, while sitting at a table: "May I eat that light syllabub?" "Yes, when you have dined on strong meat." But woe to him who feeds his body on syllabub alone! Woe to the young men or maidens, who have no good books in their heads or hearts! I believe there is more demoraliza-

tion of the young, more loss of character and incipient infamy, resulting from the vile pages of certain pestilential literature, which swarms in this country, than from any other source which Satan employs to ruin our youth. But a good book—a good book is one of God's best gifts to us.

Next to books comes MUSIC ; music from the cradle-hymn which the sweet-voiced mother sings in our infancy, to the plaintive dirge that floats over the green-sward, where we are laid to our rest ; music when it comes in the swelling oratorio, swelling and rolling in surges on the soul like the sound of many waters on the beach ; or the martial air stirring the soul like the sound of a trumpet on the tented field ; or the delicious evening hymns sung by our loved ones at the altar of our homes ; or the anthems sung by the great congregations, rolling up to mingle with the oratorios of heaven, the ceaseless song of the ransomed and redeemed ! I care not that Satan has stolen music and perverted it to sensual and infernal uses. That is no more reason why I should not make my heart praise my Maker, than that the vile abuse of any thing is an argument against its uses, unless as in the case of alcohol, where the use be an abuse of the user. The great dangers connected with the opera do not lie in the music, but in the usual accessories of the play-house ; a subject of which we shall speak hereafter. Galleries of art, scientific lectures, are all means of recreation within the reach of the young ; and I do thank those public benefactors, who are bringing to our shores so many master-pieces of genius ; and were I possessed of a princely fortune (like him who was the princely

constructor of this edifice,) one of the best gifts I would give to the young men of New-York would be some Polytechnic Hall, in which, turning their feet from every wicked place, they might come in and enlighten their reason and purify their hearts in the long evenings of this season of the year.

Without dwelling farther on specific recreations, we come to this principle: that whatever makes your body healthier, your mind happier, and your immortal soul purer, is Christian recreation. If you never depart from these good sayings, you will never bring down the maledictions of him, who pronounced such fearful curses upon the reveller and those who are given to banquetings and excess.

In treating of recreations, I have gone upon the principle that they are sought for useful and lawful purposes. "Whatsoever ye do, do all for the glory of God." Every Christian ought to take his religion into his pleasures just as much as into his counting-room or his church. No Christian ought ever to spend an evening in any place, from which he could not return with the most devout and graceful approach to his Saviour, as he bends on his knee in his closet to spend the last hour of the day, as it flies up to God with its account.

II. Secondly; there is something very different from a desire for healthful recreation in the minds of most people, when they seek amusement. In this part of my discourse, I wish to treat of this different thing. It is not recreation; it is not for the sake of being better fitted for life's cares and toils and heroic duties; but it is pleasure for its own sake and ultimate end;

and the gay, frivolous, and pleasure-loving are generally in pursuit of that. They do not want refreshment; they want stimulant and high excitement. A wise man, for instance, drinks for refreshment. Of course he drinks pure water, or something that will not stimulate. On the other hand, the sensualist drinks for stimulation. He goes to the bottle which maddens and intoxicates. The love of excitement is what fills our dram-shops. The great mass of men go to vicious places for what? for recreation? Not at all: but for excitement; and the more fiery, the more stimulating, the better. Here is the supreme attraction of the theatre, the gaming-house, the drinking-saloon, the billiard-room. Within those brilliantly lighted apartments, the chief attractions are the high excitements to the nerves of the youth as well as the worn-out debauchee. The only reasons why young men seek such places, are the very reasons why they should not seek them. Instead of rest to the body and delightful entertainment to the mind, they are positively pernicious and poisonous. Such writers as those in this city who, during the last few months or the last year, have advocated dramatic entertainments, mistake the main position, when they confound recreation with sinful pleasures. One is right and the other is ruinous.

Every thing that rests my body or mind, improves my health and elevates my soul, is commendable. Every thing that stimulates this nervous system of mine, until I become a walking maniac; every thing that debauches my body, weakens my conscience, excites impure thoughts, and makes my soul a terrible house of imagery; every thing that makes me forget God

and eternity; is dangerous, and in the last damnable. To this test we must bring the theatre, the midnight carouse, and the ball-room. Do they recreate? Does the drinking-house recreate? Do they improve or profit, or do they demoralize and destroy for time and eternity? That is the question. I do not suppose any ideal or imaginary theatre, any ideal tippling-house. I am not discussing an imaginary state of the drama, where the audience are all saints, the actors are all apostles; where the curtain would rise to the sound of prayer instead of an overture, and the performance would close with the Doxology instead of a song sung by a harlequin; where no possible farce on the stage could be so ridiculous a farce as the audience. Such a state of things is imaginary. Introduce such a thing into New-York, and it would be deserted in four and twenty hours. Introduce a theater in which such plays as Hannah More's sacred dramas were to be performed by conscientious performers, and the whole class of theatre-goers would desert it in a week. As the preacher entered at one door, the profligate would go out of the other. As the deacon entered, the dram-drinker would retire. As the matron came with her pure daughters, the painted harlot would take flight to some more congenial atmosphere. All that class who are attracted and stimulated by such dramas as *Camille*, by the indelicate innuendo, by the ballet-dancers, by the wine-saloon, and the stimulants of the scene, never, depend upon it, would waste a dollar upon a puritanic theatre. It would be tasteless, insipid; it would be deserted in a body; and who would fill their places? Would you? Would I? Would my

congregation like to know that I filled one of the vacant places in that theatre? For myself, I can say that I have succeeded in obtaining all the recreation I have felt necessary, and an exuberant flow of spirits, without ever having entered the theatre, witnessed an opera, played a game of cards, attended a ball, or indulged in the excitement of the wine-cup; and no young man here wants one of them. Millions to-night are empty in purse, character, and godliness, and empty of hope, from having tried each or all of them. Why, do you not know that the real attraction of such places is the *stimulant*? All that is soul-exciting in tragedy, mirth-exciting in comedy, is brought into requisition. In one thrilling scene, a mother shrieks out her agony for her lost boy; in another, a betrayed mistress wreaks revenge on her paramour; and in another, a ribald scoffer burlesques the most sacred passages of the blessed book of God. It feeds the passion; the eye is not forgotten by the scene-painter, nor by the actor in the dress that captivates and inflames the lust. Those that can not be drawn by the stage are drawn by the exciting accessories, by the music, the wine-saloon, the presence of tempters to midnight debauchery. "WISE TO DO EVIL," would I write over the entrance of every theatre that ever stood in this metropolis. "He that is wise, let him not go in thereat." "By their fruits ye shall know them," is the test the world applies to me and to you, my beloved fellow-professor of Christ's gospel. It is a good test. I wish Christians would not forget it. "By their fruits ye shall know them;" and I in turn say to the lover of pleasure, Will you let me apply that to

your own pleasure? By your fruits I would know you.

And now I come to the theatre, (saying nothing about cards, the wine-cup, or the ball-room,) and ask: Does it improve the morals of those who deliberately attend it? Would a sensible merchant take a young man into his counting-room, make him his book-keeper, confident, or cashier, on the strength of the knowledge that that young man regularly attended the play-house? The play-house has led more to the workhouse and to ruin, than probably any other source of temptation to the young, ever known in the history of our metropolis.

Secondly: if the theatre is a good school of morals, why do not the teachers learn and practise their own lessons? It is a poor gospel that does not convert its own advocates. Now, far be it from me to impugn the character of all performers; but in the best days of the dramas, Dr. Johnson used to say, he avoided their company, because of their tempting him to licentiousness. Ought a lady to attend any place where she will see her own sex unsexed; where woman appears in the attire of a man? That simple fact, a part and parcel of theatricals, is one of its most bitter and burning condemnations.

Again, if the drama is conducive to piety and morality, if it is productive of purity, why does it attract the dram-shop, the drunkard, and the profligate? While I do not say that no man of good morals has ever attended it, I *do* say that the bad people of this city have a most striking passion for theatre-going; and where the bad all love to go, the Christian ought

never to go. Would any young lady in this house like to hear that her pastor had been in the play-house? If she saw me preaching Christ after seeing me there, would she not probably have a far more vivid recollection of the play-house than appreciation of the truth I tried to teach? But God's test is the best: "The end of such mirth is heaviness." When Dr. Harvey heard a lady speak of the pleasures of the theatre in reply to the question as to what they were: "First," she said, "the pleasure of anticipation before I go; secondly, the pleasure of participation while I am there; and thirdly, the pleasure of recollection in recalling the play after I am gone." "Madam," said that most perfect Christian gentleman, "madam, you forget one pleasure." "What is it, sir?" "It is the pleasure of retrospection, when on the dying-bed you look back on a life immersed in such frivolities as that." That was her last "pleasure of recollection" of a night in a theatre.

Do you say that many dramatic productions are master-pieces of intellect? I do not deny it. I do not deny that Shakspeare's plays are the superbest of all plays, and yet across that resplendent sun of his imperial intellect, how many a dark spot of obscenity and profanation, almost blasphemy. So much so, that when a master of the art of reading—a female—undertook to read those plays before a promiscuous audience, she was obliged to leap from point to point, from passage to passage, as one crossing a stream would leap from stone to stone, in order to keep a dry foot. My friends, it is not necessary to enter a theatre to receive intellectual pleasure, from Shakspeare or any other

dramatist. You can have it by the fireside without the contaminating vices of the play-house. But if the grandest dramatic pieces that ever leaped full-grown from the brains of the great master of English poetry and philosophy, are only to be learned by my son and daughter at the expense of their virtue, I would lay them in their graves, ignorant of the first line that Shakspeare ever penned. There are higher walks of knowledge still—walks that I can tread in company with the angels—walks that I can take with my Divine Master—walks from mountain-top to mountain-top, out into the great landscape in which I study God, and see my Father in all his works.

Now look upon this question in whatever light you choose, these places of stimulation, not recreation, can not bear scrutiny any more than any of the sinful excitements I have barely alluded to. I have dwelt upon the theatre as a representative amusement, knowing that much we have said in regard to it would apply to kindred places of pernicious excitement.

My last argument against it is, oh! how many a heart that has been touched by the Holy Ghost during the last Pentecostal year; how many a young man who has melted in the prayer-meeting, thrilled under the sermon, been aroused by the Spirit to the grandeur of a Christian life and the claims of God and the glory of heaven; how many such a young man dates his first relapse, and first steps of apostasy, to one or more of the ten thousand scenes of fashionable dissipation, which surround him in New-York! That glorious man, Baptist Noel, of London, allied by birth to the nobility of earth—by the new birth to the nobility of

heaven—says that a youth came to London and gave himself up to teaching and Sabbath-ministration. By and by he missed him from the church—(that is the first step, my young friends)—then he heard that he was the inmate of a play-house; from the play-house he traced him to the dram-shop; from the dram-shop to the skeptic's club; and then down he went rapidly with the necessary gravitation of sin to the very depths of sin and debauchery. That young man, whose mother would not have recognized him had he been brought to the threshold, in the morning of his manhood, lay stranded upon life's shore, wrecked in body and wrecked in character. Mr. Noel was summoned to his dying-bed, and as he entered the room he saw that the young man was within a step of eternity. He took him by the hand—(oh! that pastors of the present day would take young men by the hand! you, my young friends, want men's hands, but God's hand most of all)—he took him by the hand and talked with him of Christ and hope in the dying hour. The young man lay under it all in perfect and terrific despair, as if he had quenched the Spirit forever: the last light seemed to have gone out. Noel bade him farewell and left him in indescribable agony of soul; but as he lifted the latch, the young man started up with a convulsive movement and begged him to return. The pastor went back to his bed. The young man mustering all his strength, drew his face down and whispered in his ear, "*I am damned! I am damned!*" and then fell back upon his pillow, and in a few moments was with his God! If the play-house and the skeptic-club bring such retributions as that, what Christ-

ian father or mother will ever consent that their loved ones should tread such fearfully slippery places? I will now present three or four simple tests, and I shall have completed this discussion :

I. First, every recreation which makes me stronger in body, happier in mind, and purer in heart, is beneficial.

II. Second, every amusement which is not an excitement, but the means of healthful recreation and improvement, is allowable for a Christian. I stand upon my Christian right in reference to them all : a healthy conscience enlightened of God, is to be the best judge.

III. Third, no Christian should ever take part in any entertainments from which he can not conscientiously turn to his Bible and his closet.

IV. Fourth, no Christian should frequent any place which Jesus Christ would forbid if he were personally on earth ; nor should he be seen in places so questionable that irreligious persons would be startled in finding him there. "Abstain," my friends, "from all appearance of evil."

Finally, let me remind you of the best rule of all—God's rule. Here it is, "Whether ye eat or drink, or whatever ye do," in work or pleasure, "do all to the glory of God." Then, when all your activities are in full play for God, and your whole brain at work in blessed schemes for studying and honoring him, your whole hands occupied in leading men in paths of purity and truth, your whole self happy in your work, your principles, your recreations—*that is life*, oh ! **THAT IS LIFE!** You and I have heard sometimes a military

band approaching from the distance. We first catch the notes of the horn, then the rich swell of the bugle; then, as the band comes nearer, the finer, gentler, and more delicate instruments mingle in with their harmony, until at length they come upon us with full burst, in the splendid airs of Meyerbeer or Bellini! The ear feeds on the exquisite accordance as the bee feeds on the honey of Hymettus. So a man who says, "Whatever I do, I will do for the glory of God," finds in one act a beautiful melody; in the next act a sweet harmony; in the next a delicious joy; and so he goes on in full play and full work, nobly blending power with power, affection with affection, and all with God; and making life a joyous procession to the sound of horn, timbrel, and trumpet, he sweeps in at last through the heavenly gates to the raptures of Paradise. O blessed Saviour! let thy service be my unending recreation—thy presence my everlasting delight!

THE DEATH OF WASHINGTON IRVING.

*An Address by Hon. Edward Everett before the Massachusetts Historical Society.
Delivered at Boston, Dec. 15, 1859.*

I CORDIALLY concur in the resolutions which Mr. Longfellow has submitted to the Society. They do no more than justice to the merits and character of Mr. Irving, as a man and as a writer; and it is to me, sir, a very pleasing circumstance that a tribute like this to the Nestor of the prose writers of America—so just and so happily expressed—should be paid by the most distinguished of our American poets.

If the year 1769 is distinguished, above every other year of the last century, for the number of eminent men to which it gave birth, that of 1859 is thus far signalized in this century for the number of bright names which it has taken from us; and surely that of Washington Irving may be accounted with the brightest on the list.

It is eminently proper that we should take a respectful notice of his decease. He has stood for many years on the roll of our honorary members, and he has enriched the literature of the country with two first-class historical works, which, although from their subjects they possess a peculiar attraction for the people of the United States, are yet, in general interest, second to no cotemporary works in that department of literature. I allude, of course, to the "History of the Life and Voyages of Columbus" and the "Life of Washington."

Although Mr. Irving's devotion to literature as a profession—and a profession pursued with almost unequalled success—was caused by untoward events, which in ordinary cases would have proved the ruin of a life—a rare good fortune attended his literary career. Without having received a collegiate education, and destined first

to the legal profession, which he abandoned as uncongenial, he had, in very early life, given promise of attaining a brilliant reputation as a writer. Some essays from his pen attracted notice before he reached his majority. A few years later, the numbers of the "Salmagundi," to which he was a principal contributor, enjoyed a success throughout the United States far beyond any former similar work, and not surpassed, if equaled, by anything which has since appeared.

This was followed by "Knickerbocker's History of New York," which at once placed Mr. Irving at the head of American humorists. In the class of compositions to which it belongs, I know of nothing happier than this work in our language. It has probably been read as widely, and with as keen a relish, as anything from Mr. Irving's pen. It would seem cynical to subject a work of this kind to an austere commentary, at least while we are paying a tribute to the memory of its lamented author. But I may be permitted to observe that, while this kind of writing fits well with the joyous temperament of youth, in the first flush of successful authorship, and is managed by Mr. Irving with great delicacy and skill, it is, in my opinion, better adapted for a *jeu d'esprit* in a magazine than for a work of considerable compass. To travesty an entire history seems to me a mistaken effort of ingenuity, and not well applied to the countrymen of William of Orange, Grotius, the De Witts, and Van Tromp.

This work first made Mr. Irving known in Europe. His friend, Mr. Henry Brevoort, one of the associate wits of the "Salmagundi," had sent a copy of it to Sir Walter Scott, himself chiefly known at that time as the most popular of the English poets of the day, though as such beginning to be outdone by the fresher brightness of Byron's inspiration. Scott, though necessarily ignorant of the piquant allusions to topics of cotemporary interest, and wholly destitute of sympathy with the spirit of the work, entered fully into its humor as a literary effort, and spoke of it with discrimination and warmth. His letter to Mr. Henry Brevoort is now in the possession of his

son, our esteemed corresponding associate, Mr. J. Carson Brevoort, to whose liberality we are indebted for the curious panoramic drawing of the military works in the environs of Boston, executed by a British officer in 1775, which I have had the pleasure, on behalf of Mr. Brevoort, of tendering to the Society this evening. Mr. Carson Brevoort has caused a lithographic *fac-simile* of Sir Walter Scott's letter to be executed, and of this interesting relic he also offers a copy to the acceptance of the Society. The letter has been inserted in the very instructive article on Mr. Irving, in Allibone's invaluable dictionary of English and American authors; but as it is short, and may not be generally known to the Society, I will read it from the *fac-simile*:

MY DEAR SIR—I beg you to accept my best thanks for the uncommon degree of entertainment which I have received from the most excellently jocose history of New York. I am sensible that, as a stranger to American parties and politics, I must lose much of the concealed satire of the piece; but I must own that, looking at the simple and obvious meaning only, I have never read anything so closely resembling the style of Dean Swift as the annals of Diedrich Knickerbocker. I have been employed these few evenings in reading them aloud to Mrs. S., and two ladies who are our guests, and our sides have been absolutely sore with laughing. I think, too, there are passages which indicate that the author possesses powers of a different kind, and has some touches which remind me much of Sterne. I beg you will have the kindness to let me know when Mr. Irving takes pen in hand again, for assuredly I shall expect a very great treat, which I may chance never to hear of but through your kindness. Believe me, dear sir,

Your obliged humble servant, WALTER SCOTT.

ABBOTSFORD, 23d April, 1813.

After Mr. Irving had been led to take up his residence abroad, and to adopt literature as a profession and a livelihood—a resource to which he was driven by the failure of the commercial house of

his relatives, of which he was nominally a partner—he produced in rapid succession a series of works which stood the test of English criticism, and attained a popularity not surpassed—hardly equaled—by that of any of his European cotemporaries. This fact, besides being attested by the critical journals of the day, may be safely inferred from the munificent prices paid by the great London bookseller, the elder Murray, for the copyright of several of his productions. He wrote, among other subjects, of English manners, sports, and traditions—national traits of character—certainly the most difficult topics for a foreigner to treat, and he wrote at a time when Scott was almost annually sending forth one of his marvelous novels; when the poetical reputation of Moore, Byron, Campbell, and Rogers was at the zenith; and the public appetite was consequently fed almost to satiety by these familiar domestic favorites. But notwithstanding these disadvantages and obstacles to success, he rose at once to a popularity of the most brilliant and enviable kind; and this, too, in a branch of literature which had not been cultivated with distinguished success in England since the time of Goldsmith, and, with the exception of Goldsmith, not since the days of Addison and Steele.

Mr. Irving's manner is often compared with Addison's, though, closely examined, there is no great resemblance between them, except that they both write in a simple, unaffected style, remote from the tiresome stateliness of Johnson and Gibbon. It was one of the witty, but rather ill-natured, sayings of Mr. Samuel Rogers, whose epigrams sometimes did as much injustice to his own kind and generous nature as they did to the victims of his pleasantry, that Washington Irving was Addison and water; a judgment which, if seriously dealt with, is altogether aside from the merits of the two writers, who have very little in common. Addison had received a finished classical education at the Charter House and at Oxford, was eminently a man of books, and had a decided taste for literary criticism. Mr. Irving, for a man of letters, was not a great reader, and if he possessed the critical faculty never exercised it. Addison

quoted the Latin poets freely, and wrote correct Latin verses himself. Mr. Irving made no pretensions to a familiar acquaintance with the classics, and probably never made a hexameter in his life. Addison wrote some smooth English poetry, which Mr. Irving, I believe, never attempted; but, with the exception of two or three exquisite hymns (which will last as long as the English language does), one brilliant simile of six lines in the "Campaign," and one or two sententious but not very brilliant passages from Cato, not a line of Addison's poetry has been quoted for a hundred years. But Mr. Irving's peculiar vein of humor is not inferior in playful raciness to Addison's; his nicety of characterization is quite equal; his judgment upon all moral relations as sound and true; his human sympathies more comprehensive, tenderer, and chaster; and his poetical faculty, though never developed in verse, vastly above Addison's. One chord in the human heart, the pathetic, for whose sweet music Addison had no ear, Irving touched with the hand of a master. He learned that skill in the school of early disappointment.

In this respect the writer was in both cases reflected in the man. Addison, after a protracted suit, made an "ambitious match" with a termagant peeress; Irving, who would as soon have married Hecate as a woman like the Countess of Warwick, buried a blighted hope, never to be rekindled, in the grave of a youthful sorrow.

As miscellaneous essayists, in which capacity only they can be compared, Irving exceeds Addison in versatility and range, quite as much as Addison exceeds Irving in the far less important quality of classical tincture; while, as a great national historian, our countryman reaped laurels in a field which Addison never entered.

Mr. Irving's first great historical work, "The Life and Voyages of Columbus," appeared at London and New York in 1828. Being at Bordeaux in the winter of 1825-6, he received a letter from Mr. Alexander H. Everett, then minister of the United States in Spain, informing him that a work was passing through the press, containing a collection of documents relative to the voyages of Columbus, among which were many of a highly important nature recently

discovered in the public archives. This was the now well-known work of Navarette, the Secretary of the Royal Spanish Academy of History. Mr. Everett, in making this communication to Mr. Irving, suggested that the translation of Navarette's volumes into English, by some American scholar, would be very desirable; Mr. Irving concurred in this opinion, and having previously intended to visit Madrid, shortly afterward repaired to that capital, with a view to undertake the proposed translation.

Navarette's collection was published soon after Mr. Irving's arrival at Madrid, and finding it rich in original documents hitherto unknown, which threw additional light on the discovery of America, he conceived the happy idea (instead of a simple translation) of preparing from them and other materials liberally placed at his disposal, in the public and private libraries of Spain (and especially that of Mr. Obadiah Rich, our consul at Valencia, with whom Mr. Irving was domesticated at Madrid, and who possessed a collection of manuscripts and books of extreme value), a new history of the greatest event of modern times, drawn up in the form of a life of Columbus. He addressed himself with zeal and assiduity to the execution of this happy conception, and in about two years the work, in four octavo volumes, was ready for the press. When it is considered that much of the material was to be drawn from ancient manuscripts and black-letter chronicles in a foreign tongue, it is a noble monument of the industry, as well as the literary talent, of its author.

That these newly discovered materials for a life of Columbus, and a history of the great discovery, should have fallen directly into the hands of an American writer, so well qualified to make a good use of them as Mr. Irving, and that the credit of producing the first adequate memorial of this all-important event should have been thus secured to the United States by their most popular author, is certainly a very pleasing coincidence.

The limits of this occasion require me to pass over two or three popular works of a light cast, for which Mr. Irving collected the

materials while carrying on his historical researches in Spain, as also those which issued from his industrious and fertile pen, after his return to the United States in 1832. At this period of his life he began seriously to contemplate the preparation of his last great production—the “Life of Washington.” This subject had been pressed upon him, while he was yet in Europe, by Mr. Archibald Constable, the celebrated publisher at Edinburgh, and Mr. Irving determined to undertake it as soon as his return to America should bring him within reach of the necessary documents. Various circumstances occurred to prevent the execution of the project at this time, especially his appointment as minister to Spain, and his residence in that country from 1842 to 1846. On his return to America, at the close of his mission, he appears to have applied himself diligently to the long-meditated undertaking, though he proceeded but slowly, at first, in its execution. The first volume appeared in 1855, and the four following in rapid succession. The work was finally completed the present year—at the close of the life of its illustrious author, and of a literary career of such rare brilliancy and success.

It would be altogether a work of supererogation to engage in any general commentary on the merits of Mr. Irving's two great historical works, and the occasion is not appropriate for a critical analysis of them. They have taken a recognized place in the historical literature of the age, and stand, by all confession, in the front rank of those works of history of which this century, and especially this country, has been so honorably prolific. Reserving a distinguished place apart for the venerable name of Marshall, Mr. Irving leads the long line of American historians—first in time and not second in beauty of style, conscientious accuracy, and skillful arrangement of materials. As his two works treat respectively of themes, which for purely American interest stand at the head of all single subjects of historical research, so there is no one of our writers to whom the united voice of the country would with such cheerful unanimity have intrusted their composition.

From the time he entered for life upon a literary career, Mr. Irving gave himself almost exclusively to its pursuits. He filled the office of *chargé d'affaires* for a short time in London, prior to his return to the United States, and that of minister to Spain from 1842 to 1846. His diplomatic dispatches in that capacity are among the richest of the treasures which lie buried in the public archives at Washington.

A more beautiful life than Mr. Irving's can hardly be imagined. Not unchecked with adversity, his early trials, under the soothing influence of time, without subduing the natural cheerfulness of his disposition, threw over it a mellow tenderness, which breathes in his habitual trains of thought, and is reflected in the amenity of his style. His misfortunes in business, kindly overruled by a gracious Providence, laid the foundation of literary success, reputation, and prosperity. At two different periods of his career he engaged in public life; entering without ambition; performing its duties with diligence and punctuality; and leaving it without regret. He was appointed *chargé d'affaires* to London under Gen. Jackson's administration, and minister to Spain under Mr. Tyler's, the only instances perhaps in this century in which a distinguished executive appointment has been made without a thought as to the political opinions of the person appointed. Mr. Irving's appointment to Spain was made on the recommendation of Mr. Webster, who told me that he regarded it as one of the most honorable memorials of his administration of the Department of State. It was, no doubt, a pleasing circumstance to Mr. Irving to return in his advancing years, crowned with public honors, to the country where, in earlier life, he had pursued his historical studies with so much success; but public life had no attractions for him. The respect and affection of the community followed him to his retirement; he lived in prosperity without an ill-wisher; finished the work which was given him to do, amid the blessings of his countrymen, and died amid loving kindred in honor and peace.

THE DEATH OF WASHINGTON IRVING.

A Discourse delivered in the Second Reformed Dutch Church of Tarrytown, New York, on Sabbath Morning, December 11, 1859, by the Pastor, Rev. John A. Todd.

“FOR behold the Lord, the Lord of Hosts, doth take away from Jerusalem and from Judah the stay and the staff, the whole stay of bread, and the whole stay of water; the mighty man, and the man of war, the judge, and the prophet, and the prudent, and the ancient; the captain of fifty and the honorable man, and the counselor, and the cunning artificer, and the eloquent orator.”—ISAIAH iii. 1–3.

The subject of this chapter is continued from the one which precedes it. The threatenings of God against Judah are here set forth in solemn and impressive array. The opening portion of the chapter is occupied with the general announcement that the people were about to be deprived of the supports upon which they principally depended, and among these are mentioned, as the chief and most important, “the whole stay of bread, and the whole stay of water,” the food and the drink which were essential to the preservation of life. Immediately following, we have a list of the public men—eminent and conspicuous for their official position, and for their natural endowments and genius—who were about to be removed from the nation, and among them we find the military, the civil, and the religious functionaries of the land.

At the next step in the progress of national decline, and as, indeed, the necessary consequence of what had just taken place, the affairs of the state are intrusted to the guidance of weak and unskillful hands. Insur-

rection against the established order of society, mutual violence and aggression, and wide-spread anarchy are the fruits of a government whose power is not guided by the dictates of wisdom and justice. And, at length, no one being found willing to accept of public office—a singular condition of society, to which in this country we have never yet attained—the strong oppress the weak; the authority of law, the guaranty of personal rights, the security of life and property are subverted and swept away, and the national existence is numbered among the things that were. In all this, the prophet desired those whom he addressed to recognize the hand of God—that God who “doeth according to His will in the army of heaven, and among the inhabitants of the earth.” He did not allow their thoughts to rest upon the Chaldeans, as the primary cause of the events which he predicted, when in fact they were only the *instruments* employed by a superior and all-controlling Power. But he led their contemplations away upward and onward, along the narrow channel through which the Divine energy had rolled forward to its effect until they found themselves in the presence of the Lord Jehovah himself, the everlasting God who fainteth not, neither is weary; and saw in Him the great and sovereign disposer of national, as well as of individual destinies, who raises up one and casts down another according to His righteous will.

In the last verse of the preceding chapter, the prophet had called upon the people “to cease from man whose breath is in his nostrils”—that is, to cease from reposing their trust in any human protection, and from regarding with a confidence which shut out God from the government of His own universe, the high endowments of created mind. And in the text, he presents the argument by which he sought to convince their understandings, and to persuade their hearts into compliance with his exhortation. That argument lay in the fact that God was about to deprive them of the various means of support and protection upon which

they so inconsiderately relied—the food upon which they subsisted, and the men of illustrious station and pre-eminent intellect who constituted, in their estimation, the bulwark and glory of their land.

“For, behold,” says he, “the Lord, as the sovereign disposer, even Jehovah of Hosts, the self-existent and eternal one, is about to take away from Jerusalem and Judah, not only from the capital, but from the whole kingdom, the stay and the staff, all kinds of support, and, first of all, the whole stay of bread, and the whole stay of water, the supply of their physical and necessary wants. And next in the catalogue of supports and resources of which God was about to deprive them, the great men of the commonwealth, thus—as the rendering may be literally given*—“Hero and warrior, judge and prophet, divine and elder, the chief of fifty, and the favorite, and the counselor and the ingenious artificer, and the man who is skillful of speech”—that is, possessed of genius to mold and fashion language, and to clothe the creations of the mind in the attractive forms of persuasion, of melody, and of beauty.

Such is the meaning of the text. And thus did the prophet teach the Jewish people of old, that there was a Power above all human power, upon which they were dependent, and in which they ought to put their trust—that man, whatever may be his prowess in battle, or his wisdom in counsel; whatever may be the insinuating and resistless enchantment of his genius, whether revealed in thoughts bodied forth, and transferred by the cunning artifice of letters to the written page, or breathed by the living voice in tones of eloquence and power upon the listening ear—is, after all, but a *creature*, whose breath is in his nostrils, whose heart is exposed and vulnerable to the shafts of death, and who, before the next moment has winged

* Chiefly, but not entirely, as given by Prof. Alexander, on Isaiah, *in loco*.

its way into eternity, may be torn from those who delight in his beautiful and multiplied creations, or who rely for safety upon his aid.

You have no doubt, my hearers, already apprehended the object of these remarks. Your thoughts have outstripped the words that were designed to awaken and direct them, and have gathered in solemn silence around that event which has cast a shadow of gloom upon this whole nation, and especially upon the community in which we live. Not that the idea of Death is unfamiliar to our minds; not that he does not often come into this, and into every community, wherever the sons and daughters of Adam have carried the frail clay of humanity; but because, in this instance, his stroke has fallen upon a distinguished victim, and he has removed from among us the presence of one toward whom our hearts went forth in unwonted admiration and regard. Every day, either here or elsewhere, and often in many places at one and the same moment, is Death exerting his solemn power upon the race of man. In the humble cottage on some mountain slope, in some shaded valley or distant forest, or in the living wilderness of some great city, are the young and the old, the brave and the fair, passing away in unbroken procession to the dust of the sepulcher, and to the destinies of the life to come. But the great world without does not regard it. Like the leaves of autumn that strew our pathway, they sink into the grave, and their death is crowded from recollection by the never-ending succession of new events. But when the tall and graceful trees of the forest—the monarchs whose heads towered above the general attitude—are brought down by some resistless blow, their fall is attended with a louder crash, and the earth itself trembles beneath the shock. So, when the men who walk upon the loftier heights of place and power—when those whose intellectual stature as they move along the paths of science, of history, of literature, and of art, renders them pre-eminent above the gen-

eral mass, are laid prostrate by the stroke of Death, the event impresses itself more vividly upon the minds of men, and calls out from its hidden springs in the heart a profounder sentiment of sorrow.

I know not what may be done or spoken elsewhere in regard to the departure out of this life of that illustrious, and honored, and beloved citizen, whom we, in this community, were so proud to call our friend and neighbor, but whatever it may be, I can not bring myself to believe that you, my hearers, are willing that he should pass away from among us never more to return, and that his dust should be laid down to mingle with that of parents and dearest kindred, by the shadow of that old Dutch Church, which is the mother of us all, without some recognition of his individuality—some words of tender feeling, of heart-felt sorrow, some expression of love and reverence for his memory, some offering of praise and thanksgiving to God for the excellent gifts, both of head and heart, with which He was pleased to endow him, and some attempt to gather up and to bring home, for our nobler and more spiritual uses, the solemn lessons of the dispensation which took him from us. His is a name to be revered and cherished. His story shines upon our country's annals. And now that he has gone from us, and from the land he loved so well, he has bequeathed to us in his unblemished life, in his recorded words, and in his illustrious name, an inheritance worthy to be highly prized, to be sacredly guarded. A country's glory is the collected glory of the great men whom God has given her—their high achievements, their noble spirits, their memorable names. And it is right that they should have their monuments not merely in the mute and icy marble that marks the spot where their ashes rest, but in the warm, the living, throbbing hearts of all her sons.

——“Think not such names
Are common sounds ; they have a music in them,
An odorous recollection ; they are a part
Of the old glorious past. Their country knows

And loves the lofty echo which gives back
'The memory of the buried great,
And calls to valor and to victory,
To goodness and to freedom.'"

When such a man dies—when his name is stricken from the roll of living men, and given in sacred charge to the historic muse, that she may "march with it down to the latest times," it is not meet that his honored dust should be put away out of sight in darkness and in silence without some tribute to his character, to his life, and to his fame. For when we thus give our offerings of love and admiration to that which God made so fair, and yet so wonderful in capacity and power, we praise God in His works, we glorify His matchless and infinite skill, and we do honor to the dignity of that nature which is able so to appreciate and so to delight in the higher exhibitions of the wisdom and goodness of our Creator.

It is a solemn event when God comes by His providence, and removes from the midst of a nation the mind which He has most highly endowed. Insensible must be that heart, and deaf to the voice of instruction must be that spirit, that does not receive with reverent humility, with docile submission, the impressive lessons which such an event is adapted and designed to teach.

It is a sad thing to utter. It is almost startling, to us who have been accustomed so long to look upon him as he has moved in quiet and unobtrusive dignity among us, but the hand of God has transferred the thought from the records of possibility to those of actual fact. Washington Irving, the patriarch of American literature—the accomplished scholar—the admirable historian—the elegant writer—the wonderful magician, who evoked from the realms of thought the spirit of romance and beauty, and breathed it upon every hill and valley, upon every shady retreat, and every wandering brook that hastens on to join this noble river that pours its majestic volume into the sea; aye, and upon the very air that fans the summer ver-

dure, or whistles through the branches of the wintry wood around us—the pure patriot—the diplomatist, watchful for his country's honor, and yet skillful in the arts of preserving peace—the kind and beloved neighbor—the faithful friend, and, what is better than all, because it constituted him the “highest style of man,” the modest and benevolent Christian, the sincere believer and disciple of the Lord Jesus Christ—Washington Irving is dead. Dead, did I say? No! He has just begun to live. His spirit has gone up to the enjoyment of a higher sphere, and its power upon the kindred spirit of his race has been consecrated by the solemn mystery of its departure. God has given to him the precious boon of a two-fold life—the life eternal of the glorified in heaven, and the life of an undying memory in the hearts of men. And can we say of such a one that he is dead? True, he has gone from us, and on earth we shall see his face no more.

“But strew his ashes to the wind,
Whose sword or voice has served mankind—
And is he dead whose glorious mind
Lifts thine on high?
To live in hearts we leave behind
Is not to die.”

We have lost his welcome presence, and it is for that we mourn. But his grave is with us, and here it will remain for generations to come, the shrine of unnumbered pilgrim feet. From the lofty eminence upon which he stood, conspicuous to the eyes of the world, from his position of intellectual greatness and spotless dignity, he has passed away. The sepulcher has claimed all of him that was mortal for its own. His eye is quenched; his arm is palsied; the tongue that was ever eloquent with the words of kindness is hushed to the ears of living men forever; the pen that distilled upon the written page the subtle creations of his brain, the ideal forms all fresh and fair from the realms of intellectual beauty, in which his spirit loved to linger, lies where he left it, dead and silent, like the

clay from which the living soul has departed. And on this Sabbath morning, while we are gathered in the house of God, his honored remains are sleeping by the side of her whom he called by the holy name of "Mother," who loved him while living, and whose memory he loved when dying, in the grave which he had appointed for his last repose. There—there may they sleep in peace, until these heavens be no more, and in the last day be raised again to the glorious resurrection of the just!

It is not my purpose, nor is this the proper time, to trace the career or to pronounce the eulogy of the illustrious dead. Born in the city of New York, at No. 131 William Street, about midway between John and Fulton streets, and only a few steps from the old North Dutch Church, on the 3d of April, 1783, and dying in his own quiet home on the banks of the Hudson, on the 28th of November, 1859, he attained to the ripe old age of 76 years 7 months and 25 days. And then he received the fulfillment of the promise: "Thou shalt come to thy grave in a full age, like as a shock of corn cometh in his season."

The record of his life, from the home of his childhood, upward and onward along the path of toil and triumph which he trod, with quiet courage and ascending step, until he reached the last and loftiest height of his earthly being, from which he went still forward and upward, "with his old stride from glory to glory," has been carried on the wings of fame to the farthest hamlet of our country, and to the remotest corners of the civilized world.

It is enough to say that, beginning his literary career at the age of nineteen, and sending forth the first of his principal works at the age of twenty-six, his progress to the end was but the continual repetition of success. Of him it may be said, what was said of another, that,

"He kept Victory on the run,
Till Fame was out of breath."

The last work, and perhaps the greatest, that he ever wrote, the "Life of Washington," he completed but a few months before his death. In that his labors came to a close—the star of his genius culminated to its zenith; and while the vestal fire of patriotism shall burn in the national heart, and while the English language—the grandest of living tongues—shall express the thoughts of living men, that work shall perpetuate the names of George Washington and Washington Irving, canonized in the fellowship of glory—the Father of his Country and the Father of his Country's Literature. The triumphs of his splendid morning were surpassed by those which he achieved beneath the mellow radiance of his setting sun; and thus, by the labors of his declining years, he appropriated to himself a share in the sentiment which, it has been affirmed, could be applied to none but Milton—that "he was the only man who ever eclipsed his own fame by a higher and brighter noon; who, after winning an immortality for his youth, gave it back to oblivion by the achievements of his age."

But his character wore another aspect; he was something more than the man of genius. Honored as he was, the world over, he was yet loved as well, and as much, as he was honored. No one could mingle in his society, though the opportunity were but brief, without feeling the magnetic influence of his nature. In his countenance, as well as in the placid flow of his language, and in the sentiments which he habitually entertained, the one feature which distinguished his character as a man, and stood out in pleasant and winning prominence, expressed itself to all who knew him in the single word—peace. For the struggles of intellectual warfare, the sharp excitement of opposing convictions, it is almost needless to say that he had no taste. In the atmosphere of mutual love, in the fragrance of gentle sympathies, he found his congenial element, and there he was ever at home. On more than one occasion, when he debated questions of

ecclesiastical order, and subjects of a kindred nature have engaged the conversation of friends in his hearing, he has been known to interpose with the remark : " Let us live in love. We are all striving for the same object, and going to the same place of rest ; and why should there be contentions by the way ? " His mild expostulation at once silenced the discord of controversy, and brought back the reign of peace.

Attached he undoubtedly was to the polity and form of worship of the particular denomination of Christians to which he belonged, but his heart was too large, his sympathies too noble, not to recognize and appreciate, with profound respect, the excellence and labors of other denominations that maintained the vital principles of Christianity. No one could fairly apply to him the lines which Goldsmith so unfairly applied to Burke :

" Who, born for the universe, narrowed his mind,
And to party gave up what was meant for mankind."

He had a broad and catholic spirit, which he manifested not only in words, but also in deeds. The pecuniary means which he subscribed and paid to promote the general interests and efficiency of the Reformed Dutch Church in this village, together with other contributions to religious and benevolent purposes, indicate very clearly the liberal sentiments which occupied his mind and heart—sentiments which are the never-failing result of true piety in union with intellectual greatness. One of the last acts of his life—occurring in November, the very month in which he died—was to present to the library of the Western Theological Seminary of the Old-School Presbyterian Church, at Alleghany City, Pennsylvania, through the hands of a venerable and valued friend residing in Pittsburgh, a beautiful copy of his " Life of Washington." I had myself the pleasure of examining the volumes a few days before they were sent to their destination, and was struck, on reading the brief lines of presentation

which he had written on a blank leaf of the first volume, by the traces of that graceful modesty which ever distinguished him, and by the simple affection which he cherished for his friend. We can not wonder, when we contemplate his life, that his death awakened in so many hearts the sad sense of personal affliction, or that so many unfeigned mourners were found in the slow procession which followed his remains to the tomb.

In quiet simplicity—in all the gentleness of sunny and genial childhood—with a heart overflowing with kindness and good-will toward all men, and filled with submissive and grateful humility before God—with a spirit mild and amiable by nature, and rendered still more lovely by the ennobling influence of the religion of Jesus Christ—which he firmly believed and consistently professed, he passed his days among us until they closed with the closing year, amid peaceful scenes, and under gentle skies, which were in singular and beautiful harmony with the spirit that ruled his life. In him, if ever, did the blended lineaments of greatness and humility illustrate the fair ideal upon whose living realization the Martyr-Student of Cambridge so earnestly longed to look!

— “Oh, I would walk
A weary journey to the farthest verge
Of the big world to kiss that good man's hand,
Who in the blaze of wisdom and of art
Preserves a lowly mind ; and to his God,
Feeling the sense of his own littleness,
Is as a child in meek simplicity !”

Conscious that the powers of his physical frame were giving way—that “the silver cord was about to be loosed,” and “the pitcher to be broken at the fountain”—he anticipated his departure at no distant day. But a short time before his death, while assisting to convey to the tomb the remains of an aged and venerable friend, he was heard to remark that the service which he was then performing for another, he would soon need for himself.

On another occasion, during the month of November, as he was taking leave of one who has often worshiped with us in the sanctuary—a clergyman of the Presbyterian Church, no less revered for his character than for his labors and his years, to whom he was greatly attached, and who was about to return to his Western home, from which he had come to spend the summer on the banks of the Hudson—he referred with touching emotions to their declining age, and to the probability that this would be their final parting. But, he immediately added, although they might never meet again on earth, there was a better land, and they would temper their present sorrow with the hope of a reunion in the life to come. God grant that when his surviving friend shall follow him thither, that hope may have a full and glorious realization. But perhaps the most solemn and tender expression of his anticipations in regard to death was that which was among the last, if it was not, indeed, the very last, that he was known to utter. Only five days before he closed his eyes forever upon the light of earth, he stood by his mother's grave—that mother whose memory was ever so dear—and pointing to the spot by the side of it, which he had selected for his own, he said calmly to the friend at his side, "I shall be soon there."

Dear old man! he has reached the goal of his earthly journey. His prophecy is fulfilled. Crowned with the wreath of immortal fame, loaded with the benedictions of loving hearts, full of years, full of peace, he has gone to his rest. There his head shall recline upon its lowly pillow, and his Redeemer shall guard his sacred dust.

It is delightful to think that the same benignant Providence which smiled upon his life, gave to the time of his death and burial the placid beauty of unclouded skies, the brightness of warm and golden sunshine, the glory of autumnal hills bathed in its effulgence, and rendered pure and sweet by the gentle winds that blow upon them from the majestic river

that rolls beneath. It is more delightful to think of the love and veneration that swelled the hearts of the congregated thousands that came from near and far to pay their homage to his genius and his worth. But it is most delightful of all to think that the patriarch's work was done, and that he was waiting for the call of that blessed Master whose love transforms the gates of death into the gates of glory to the soul. Yes—yes. It is true, my friends, we have nothing to regret, nothing to mourn, but our own loss, our own bereavement.

“Nothing is here for tears, nothing to wail
Or knock the breast, no weakness, no contempt,
Dispraise or blame, nothing but well and fair,
And what may quiet us in a death so noble.”

And now, beloved hearers, what is the lesson which we are to learn from this solemn dispensation? Is not God teaching us individually and as a nation that every earthly stay and staff is but frail and uncertain at best? Does He not remind us, when the great men of our country come down from their high places to sleep in the dust, that all that pertains to time is imperfect, transient, perishing? One by one the great lights of a nation are extinguished by death. The men of brave hearts and giant intellects—warriors, statesmen, historians, poets, philosophers, divines—they pass away, and who shall take their vacant places? Who shall fight the battles, stand at the helm of government, record the march of history, sing the song of joy, chant the dirge of sorrow, explore the mysteries of science, defend the cause of truth and righteousness, and plead with men in the accents of persuasion, and with God in the accents of prayer? Ah! my hearers, we know full well that none but God can give the arms of strength, and the hearts of courage, and the intellects of power. God, *and God only, is great*. Let us, therefore, take refuge in Him. With love for His character, with trust in His promises, with confidence in His goodness, with obedience

to His will, let us go to Him, and pray that our fellow-men, that our whole country may go with us, and then "the place of her defense shall be the munitions of rocks," and "upon her assemblies God will create a cloud and smoke by day, and the shining of a flaming fire by night." "In His name shall they rejoice, and in His righteousness shall they be exalted. He shall be the glory of our strength. For the Lord himself shall be our defense, and the Holy One of Israel shall be our King."

Let me entreat you also, beloved friends, to be admonished by the providence of God, that, to every one here assembled, life is short and death is certain. Rank, wealth, learning, genius—they are all nothing to the stern regard of Death. With promiscuous blow, and without respect to persons, the high and the low, the small and the great, are laid prostrate together at His feet. The experience of the past, the events of every departing day, the lessons of that startling providence whose echoes are yet lingering in our ears, all combine to impress the great conviction upon our hearts: "All flesh is grass; and the glory of man as the flower of the field. His breath goeth forth, he returneth to his earth; in that very day his thoughts perish. God hath spoken once; twice have I heard this, that power belongeth unto God." True, indeed, it is, that death, as in the example before us, is the natural and fitting termination of a life protracted beyond three-score years and ten. True, also, it undoubtedly is, that the sentiment expressed by the ill-starred son of genius, whose dust lies sleeping on the banks of the pastoral Nith—

"Oh, Death! the poor man's dearest friend,
The kindest and the best!"

has met with many a sad response from the children of poverty and sorrow. Death does sometimes come in the vesture of friendship and gladness, and smile upon the suffering, the heart-broken, and the weary. He

does sometimes come to the child of God, waiting and anxious for the final hour when he may depart and be with Christ, which is far better, with a message like that which broke from an angel's lips upon the startled air of Bethlehem, "Fear not, for behold I bring you good tidings of great joy!" But, believe me, oftener far does he come to men in stern and appalling aspect. And thus, my hearers, unless he be disarmed of his terrors by your individual and personal reliance upon the blood of Christ for safety, will Death inevitably come to you. The accumulations of laborious years, the gratification of the body and the mind by the twofold ministry of nature and of art, the bonds of love, the tender associations, the maturity of age, the strength of manhood, the buoyancy of youth—what are they all to Death? He tears men away from wealth and power, from pomp and pleasure. When the bud of enterprise is unfolding itself into the flower of success; when hope stands with sparkling eye to greet the approaching fulfillment; when victory, like an eagle comes sailing down the heavens to perch upon the standard that has been upborne with heroic courage through a long and weary struggle; when the cup of joy is mantling to the brim, and the heart is bounding with exultation; then, then—suddenly—there is a flash, like the bolt from heaven, and the noon-tide brightness is changed into the midnight gloom. The man is dead. His heart is still. His eye is dark. His hands are folded across his icy breast. They carry him out, and they lay him down in his grave. Oh, how true are those words which burst from the agonized heart of Edmund Burke, when he contemplated the death of his only son, "What shadows we are, and what shadows we pursue!"

My dear friends, there is no escape for us. We must all die. But in the glorious gospel of Jesus Christ there is an antidote against the power of Death. With Him is the fountain of life, and His people shall drink from it forever. The body may sink, but the

spirit shall rise. The clay may crumble ; but the soul shall mount in glory. "I am the resurrection and the life," saith the Christ; "he that believeth in Me, though he were dead, yet shall he live. And whosoever liveth and believeth in Me shall never die." The garland of immortality that withered in Eden shall bloom again for the righteous in the paradise of God.

To-day, then, with the admonition of Providence sounding in your ears, with the vision of a new-made grave before you, let me come to you, in the name of Christ, with the offer of everlasting life. He gives freely—He gives abundantly. Oh! love Him, trust Him, follow Him. Then, when the spirit is about to depart from the falling tabernacle of the body, it may pour itself into that triumphant shout of God's redeemed, "O death, where is thy sting? O grave, where is thy victory?" The sting of death is sin, and the strength of sin is the law. But thanks be to God, which giveth us the victory through our Lord Jesus Christ.

A CHEERFUL TEMPER.

A Sermon by the Rev. William Adams, D.D. Delivered Thanksgiving Day, Nov. 24, 1859, at Madison Square Church, New York.

He that is of a merry heart hath a continual feast.—PROV. xv. 15.

A merry heart doeth good like a medicine.—PROV. xvii. 22.

AN excellent minister of my acquaintance is in the habit of selecting the texts of his Thanksgiving sermons out of the Book of Lamentations. Appropriateness is the first law in all kinds of discourse. The elegies of the weeping prophet are a part of the Sacred Volume, and frequent enough are the occasions when they may be used with utmost pertinency. But so it happens that this day—the only day in our calendar of the kind—is the one in which dirges are not so appropriate as carols. It has been designated, according to an ancient custom, not for fasting and humiliation, but for the gladness of praise; not to furnish the Pulpit with an opportunity for pelting the civil magistracy, nor for indulging in lugubrious complaints and apprehensions as to the condition and prospects of political affairs; but specifically to rehearse those acts of the Divine goodness which should inspire us with gratitude and incline us to a cheerful expression of thanks. That man who, in the worst state of affairs, can not discover material enough for praise, is already in a morbid and most deplorable condition.

Though this particular day is designated by the civil

authorities, it should be borne in mind that in the one only national organization which had God for its author, several days in the year were set apart by Divine institution for religious festivities. Spring, Summer, and Autumn had each its festal symbolism; the most joyous of which, called the Feast of Tabernacles, was an annual Thanksgiving—not only in memory of ancestral favors, but for the ingathering of the harvests. Nothing can be conceived more beautiful than the manner of its observance. Booths were erected in the open air, out of branches from the palm and willow, within which families were gathered, to eat together before the Lord, so that the occasion was sacred to the reunion of friends, the enjoyment of hospitality, the interchange of kindness, the expression of generous regard for the stranger, the widow, and the fatherless. Nor was it lawful for a Jew so much as to taste of ear or parched corn, or bread of the new harvest, till a nation had borne a sheaf of barley or wheat, and waved it before God, in His temple, in token of their gratitude. Are we charmed by the picture which the imagination paints of that national spectacle, when the glens of the vine and olive gave forth their happy inhabitants, to flow together into the court of the Lord, with chanting of psalms and waving of sheaf and branch? but when did the sun ever look down upon such a scene as is this day spread beneath his eye on this Western Continent, a land unknown and undreamed of when Hebrew feasts were instituted; where so many States of our Confederacy have agreed to devote one and the same day for thanksgiving to our common Father for His abundant goodness? What millions of well-clad, well-fed, well-taught, and, if they would but believe it,

happy people, are to-day to be seen within the temples of religion, and the homes of health, comfort, and plenty. As my mind traverses over the extended scene, it rests, not so much on metropolitan affluence, on gatherings within stately mansions and tapestried walls, where sumptuous fare is of daily occurrence, as on those humbler habitations of rural life, where man is brought by earth, sky, and season into closer communion with God. Toil is at rest, and contented with its rewards. Plow and flail are exchanged for recreation. If nature is more silent than in earlier months, when birds and beasts are full of jocund music and life, it is the silence of peaceful contentment. The rich autumn sunlight bathes the sere and yellow stalks and husks of corn still standing in the field, divested of summer floss and greenness, reduced to the undress of the year, yet testifying of the golden wealth it has yielded to man; barns bursting with plenty; the cattle chewing the cud with mute thankfulness; families reassembled in the old homestead; mirth in the voices of the young, and placid delight warming the ashy hue of age; what images of serene satisfaction are those which are presented by the employments in which a nation is this day engaged! Consider, withal, the degrees of latitude over which this observance is extended! The magnolia and the rose have not yet ceased to emit their perfume in the States of the South, while along our northernmost frontier winter has already converted the streams into ice. One of the chief advantages, we are told, of the national festivity of the Hebrew, was by friendly intercourse between those of different clans and tribes, to promote a spirit of common patriotism. If this day of thanksgiving would but be observed in

a becoming spirit, how much would it accomplish in the way of purifying and strengthening the sentiment of nationality, which, though it was fostered by ancestral memories, cemented by the blood of our fathers, and wrought into the structure of our continent by the hand of God, in the flow of rivers, the clasp of lakes and ridges, and the embracing arm of an unbroken seaboard, has come—God forgive us that it is so—to be spoken of most slightly, to be struck at most ruthlessly, as if it were a common and an unclean thing.

The occasions for gratitude are as numerous as the favors of Providence. In former discourses we have rehearsed some of the great constellations of Divine goodness, and considered also the common mercies of daily life, forgetting not those benefits which come in the form of tears and mellowing discipline; but to-day I have chosen a theme which transcends them all. The greatest boon of Providence is a *disposition* to enjoy all things. Mr. Addison closes one of his essays in the *Spectator* with these lines, adopted now into our Sabbath hymns, and familiar to all who read the English tongue:

“Ten thousand thousand precious gifts
My daily thanks employ;
Nor is the least a *cheerful heart*,
That tastes those gifts with joy.”

Not the least! It is the whole. It is the mind itself which colors all outward conditions; and affluence of gifts would leave one in misery if there were no interior disposition to cheerfulness. “He that is of a merry heart hath a continual feast.” Some nicety of discrimination is necessary, if we would hit the exact meaning of the expression. Changes have occurred in the significancy of words since our English version was

made, which might mislead the unthinking. Merriment most readily suggests the idea of conviviality and jollity. A "Merry Andrew" excites boisterous laughter. We naturally associate with merriment the absence of the higher qualities, and, except in the case of children, with whom animal spirits are an exuberant fountain of gayety, we more generally connect it with artificial stimulants—the sparkling cup and the shout of high-sounding festivity. Instead of commending hilarity like this as a medicine, we have the impression that the Scriptures compare it to something else, which begins with an M—madness. Collating the several passages in the Old and New Testament, in which the word thus translated merry is used, we find no difficulty in ascertaining the precise intention of the word. "Is any among you merry? let him sing psalms," says the Apostle James. The word here used is the very same which Paul employed when addressing the ship's company in danger of wreck—"Be of good cheer"—circumstances suggesting the pertinency of bravery and hope, but forbidding any approach to hilarity. The Hebrew word in our text is translated in the Septuagint by a synonym which is used elsewhere in the New Testament (1 Thess. iv. 11) to express quiet contentment; the same which Plutarch frequently employs in his essay on *Mental Tranquillity*. So that we are fortified by usage, scriptural and classical, in adopting this as the exact shade of thought in the text—"A cheerful heart doeth good, like a medicine." The etymology of the word *euthumeo*, be of good cheer, conveys a lesson—*well-minded, well-disposed*—for cheerfulness always has in it an element of goodness, while merriment may co-

exist with folly and crime. When Milton describes the fallen angels, after the Stygian Council was dissolved, dispersing in various directions, some indulging in feats of strength and speed, with uproarious mirth; and when Death himself is represented by the same author, as "grinning horribly a ghastly smile," it does not shock the taste; but had he described either as *cheerful*, radiant with smiling tranquillity, we should have felt the incongruity, for he is describing the dark forms of guilt and woe.

While in this part of my subject, let us mention a few more distinctions separating cheerfulness from other things with which it is often confounded. It is not the same as wit; though a cheerful temper may show its play through wit, if this intellectual quality exist. "Foolish jesting" is condemned alike by good manners, taste, and Scripture. The quick associations of wit are of the intellect and not of the heart, and too frequently have they been associated with cruelty of disposition. Endeavoring to be witty is always weak and pitiable. That was sage advice which Dean Swift gave to a young clergyman: "I can not forbear warning you," says he, "in the most earnest manner, against endeavoring at wit in your sermons, because by the strictest computation, it is very near a million to one that you have none, and because too many of your profession have made themselves everlastingly ridiculous by attempting it." To which may be added, if the Pulpit is ever the place for wit, never, never is it the place for levity. Though this intellectual gladiatorship of wit is often employed in the service of cruel satire and stinging sarcasm, yet it may be associated with more genial and kindly

qualities. Should I say that there were a few cases in which the Apostle Paul has used the rapier thrust of wit, I should not be understood by those who do not comprehend through a translation the sharp point of certain Greek words. The principle advocated by Shaftesbury, that "ridicule is a test of truth," can not be conceded; but if ever there was a book mighty in its wit, it is *Bunyan's Pilgrim's Progress*. The name of the streets in Vanity Fair; of the judges, jury, and counsel in the trial of Faithful, excite a smile at the witty adroitness; but it is a wit like the smooth beauty of the lightning, which demolishes what it hits. So, again, cheerfulness is distinct from the sense of the humorous, however acute it may be. Humor is a sign of sensibility, of pathos, a deep, rich sort of feeling, even though it be sad; for the very word signifies moisture, and, like April weather, smiles and tears are mingled together in its composition. The most grotesque images may be suggested and enjoyed by a sense of the humorous, when bodily and mental disease will not allow cheerfulness, of which Cowper was a remarkable instance. The amusing description of John Gilpin, which the most sedate can not read without laughing, was written, it is said, during one of the longest and gloomiest of those seasons of melancholy to which his sad life was subject—a streak of crimson and gold on the edge of the blackest cloud. Instances are well authenticated, in which actors on the stage, with the keenest perception of the humorous, by which they have convulsed houses with obstreperous mirth, have consulted physicians and clergymen for relief from a settled melancholy which was wasting their life.

With these distinctions and discriminations, we must understand by this time what is intended by true cheerfulness. It is not intellectual ability; it is not mere animal spirit; it is not the excitement of artificial stimulant; very distinct is it from jocular and uproarious laughter. It is the tranquil, hopeful, benign, blessed mood, which is rightly described as well-mindedness. It is not a talent, but a disposition. In the proper place I shall show, making all allowance for diversities of constitution, that it is a temper which is to be carefully and wisely cultivated, by methods to be specified before we close. Now, the things affirmed of this cheerful heart, thus defined, are, that he who has it, has a continual feast, and that it doeth good like a medicine. Many are the scenes of domestic festivity in our land to-day; but he who has a feast only on the last Thursday in November has a sad life. There is a daily festivity, which depends not on the quality of the fare with which the table is spread—whether it be a dinner of herbs or stalled ox—but always on those genial qualities of the heart which incline us, as we say, to look on the bright side, and to make the best of everything. Strange that this disposition is not universal. But we come in contact with a most singular fact, which at first is not so easy of analysis, that people are intent on playing the miserable, as if there were a virtue in it. The real solution is, that it is an exhibition of selfishness; for no one is habitually cheerful who does not think more of others than of himself. Multitudes appear to be studious of something which makes them unhappy; for unhappiness excites attention, and attention is supposed to inspire interest, and interest compassion.

You have seen a person of very robust and corpulent habit, so robust as ought to excite perpetual gratitude for joyous health, sometimes putting on the airs of an invalid, for no reason in the world but to draw out toward him some expression of affectionate concern, and so gratify his self-conceit. That very mood which in children is called naughtiness, in young people is dignified with the name of "low spirits," for which they are to be petted and pitied; while in elderly people it is known as "nervousness," for which it is expected they should be humored to the full tension of mortal patience.

The first place for the festal and medicinal play of cheerfulness is home. The parent who does not practice it, loosens the strongest bond which draws children to virtue. Once make the impression that goodness is austere, and it has lost its charms for those who reach conclusions, not through reasoning, but the feelings. Perhaps you can recall persons with whom you have been thrown into contact when you were young, who, in your present judgment, were good, very good, but in every way repulsive. You never associated them with sunshine. You felt that goodness had a strange tendency to make one unhappy. Some of the best men the world has seen have lived to regret just this thing—the want of habitual cheerfulness in the presence of their children. It may be taken as a postulate of the social system, that home should always be the most cheerful and attractive place on earth; and whatever is expended to make it such, is expended wisely and economically. No man is qualified for the first offices of an educator, at home or elsewhere, who is not habitually cheerful. Reverence is an essential

quality of character, but it is a mistake to exact it by gruff austerity. Nothing can be more grotesque, for example, than the enactments for respect which prevailed at Yale College during the last century, when the wearing of a hat in the college yard by a Freshman was interdicted by statute; and the exact measure in rods was specified at which obeisance was to be made to that specimen of the *multum in parvo*—a college officer. Respect, reverence, are not to be compelled by big wigs and elongated faces and assumed dignities; they must be given to cheerful worth, as flowers open themselves to the sun. If it were proper, we could describe some of the grave mistakes which were made in his home by that great metaphysician—of whom any family or any country might be proud—Jonathan Edwards. His biographer informs us that his children were not expected to keep their seats in his presence; that he ate from a silver bowl, as one set apart for special reverence, and that his features seldom relaxed from the one expression of grave austerity. If that good and great man had been more cheerful at heart, some disastrous results probably never would have occurred. There is one, and, so far as I know, only one, passage in all his voluminous writings in which he dropped into a mirthful vein of argument in refuting an opponent. He is arguing that the doctrine of the Arminians concerning the will is an absurdity, and he writes as follows: “If some learned philosopher who had been abroad, in giving an account of the various observations he had made in his travels, should say he had been in Terra del Fuego, and there had seen an animal which he calls by a certain name, that begat and brought forth itself, and yet had a sire and

a dam distinct from itself; that it had an appetite, and was hungry before it had a being; that his master, who led and governed him at his pleasure, was always governed by him and driven by him where he pleased; that when he moved, he always took a step before the first step; that he went with his head first, and yet always went tail foremost, and this, though he had neither head nor tail, it would be no impudence to tell such a traveler that he himself had no idea of such an animal as he gave an account of, and never had, nor could have." I have often imagined what sort of an expression must have stolen across the thin, pale face of Jonathan Edwards when he wrote that most grotesque paragraph. It must have been somewhat like a sun-gleam in the solemn pine-woods of a New England winter.

If we speak of the mistakes of good and pious men, what shall I say by way of commending that sweet cheerfulness by which a good and sensible woman diffuses the oil of gladness in the proper sphere of home. The best specimens of heroism in the world were never gazetted. They play their *rôle* in common life, and their reward is not in the admiration of spectators, but in the deep joy of their own conscious thoughts. It is easy for a housewife to make arrangements for an occasional feast. But let me tell you what is greater and better. Amid the weariness and cares of life; the troubles, real and imaginary, of a family; the many thoughts and toils which are requisite to make the family the home of thrift, order, and comfort; the varieties of temper and cross-lines of taste and inclination which are to be found in a large household—to maintain a heart full of good-nature, and a face always

bright with cheerfulness, this is a perpetual festivity. I do not mean a mere superficial simper, which has no more character in it than the flow of a brook, but that exhaustless patience, and self-control, and kindness, and tact, which spring from good sense and brave purposes. Neither is it the mere reflection of prosperity—for cheerfulness then is no virtue. Its best exhibition is in the dark background of real adversity. Affairs assume a gloomy aspect—poverty is hovering about the door—sickness has already entered—days of hardship and nights of watching go slowly by, and now you see the triumphs of which I speak. When the strong man has bowed himself, and his brow is knit and creased, you will see how the whole life of a household seems to hang on the frailer form, which, with solitudes of her own, passing, it may be, under the “sacred primal sorrow of her sex,” has an eye and an ear for every one but herself; suggestive of expedients, hopeful in extremities, helpful in kind words and affectionate smiles, morning, noon, and night, the medicine, the light, the heart of a whole household. God bless that bright, sunny face, says many a heart before me, as he recalls that one of mother, wife, sister, daughter, which has been to him all that my words have described. Mr. Dickens, I can not think, has been very fortunate in his portraiture of clergymen. If Mr. Chadband must stand as representative of the profession, we must say that the author has not been very happy in his circle of acquaintances. But as for his portraiture of kind-hearted, cheerful, brave women in humble life, he has certainly done the world a service; for when the more stately forms of Shakespeare’s imagination and the rollicksome or thoughtful

heroines of Walter Scott are forgotten, lowly homes will be cheered with the picture of "Little Dot," diffusing an atmosphere of kindness so long as there is a cricket to sing on the hearth.

The first object of an intelligent physician is to inspire cheerful hope in his patient. This is better than drugs. And so the medicinal effect of cheerfulness is most apparent in times of peril and calamity. There are some who have an eye for nothing but evil, whose office it is to croak and grumble, till at length the mischief apprehended comes to pass. Indifference to danger is no sign of a Christian or a patriot. The very love we bear to the Church and to our country renders us sensitive to anything which threatens their peace and prosperity. But we ought never to despair of the fortunes of either. The best medicine in the worst times is a cheerful heart. No man who loves his country, and watches the signs of the times, can shut his eyes to the great perils which thicken on our own horizon. Authentic records inform us that in the seventeenth century our Puritan fathers enacted a law, requiring that any person who should thereafter be elected to the office of Governor should pay a fine of twenty pounds sterling if he would not serve. What would the modest shades of Winslow and Bradford say at the habits of our times, when men scramble for office with an unconcealed ambition for spoils? Can any one doubt that one of our greatest perils is a greed of personal ambition? And then the fears, the jealousies of sectional interests, and the portentous dangers which can not be concealed in connection with Slavery. Magnify and multiply all these occasions for alarm, much as you will. What then? Shall we give

up the ship? What shall we do? Let everything go by the board, and sit down in blank despair? Let us rather imitate that noble class of men who show the best qualities of our nature, on the deck of the ship, when the storm is at its worst, whose bravery, when driven from one expedient to another, inspires the timid with hope. The idea of abandoning our Government as a failure, our Constitution as a rag of worthless paper, let it not be so much as mentioned! but let us rather cherish more of that cheerfulness of spirit which indicates faith as to the issue. Excitements do not imperil it, provided the temper be right. When the temperature of an individual or a community is raised, everything which belongs thereto comes out with the greater force; and the peril is always and only from that which is evil. Let there be nothing but what is humane and kind and good in our nature, and danger is not to be apprehended, even if we be excited to a white heat. Reformers who have succeeded the best in Church and State were of a most hearty cheerfulness. In Luther it amounted very often to jollity. Old Samuel Adams, of Boston, was renowned as much for his sonorous singing of hymns as for his patriotism. Suppose that affairs should wax worse and worse, never will they be mended by impatience, irritability, and petulance. "Fret not thyself," is an inspired counsel for troublous times. Have a good heart, and do the best you can. Trust in the Lord, and mischief will be averted. Reforms which can not be accomplished by good temper, will not be brought about by objurgations and wrath.

Why should I dwell so long on what a cheerful heart can do—the occasions for its exercise—when the

most important question of all is, How can it be acquired? Is not the world evil, and are not occasions for uneasy fears innumerable? Differences in constitutional temperament are very obvious. Let all allowance be made for them. We speak of what pertains to personal culture, and here we claim that cheerfulness must have a religious basis; and the first thing religion teaches is, the immensity of mercy which has supervened upon demerit. True, sin has stricken the world, and a curse has followed upon sin. But this is not the whole. God has dealt with us incomparably above our deserts. As an old writer has expressed it: "It was a rare mercy that we were allowed to live at all, or that the anger of God did punish us so gently; but when the rack is changed for the axe, and the axe for imprisonment, and the imprisonment changed into an enlargement, and the enlargement into an entertainment, and the entertainment passes into an adoption, these are steps of a mighty favor and perfect redemption from our sin. And thus it was that God punished us. He threatened we should die, and so we do, but *not so as we deserved*; we wait for death, and stand sentenced, and every day is a new reprieve, and brings new favors; and at last, when we must die, by the irreversible decree, that death is changed into a sleep, and that sleep is in the bosom of Christ, and there dwells all peace and security, and this passes into glory and felicity. We looked for a Judge, and behold a Saviour! We feared an accuser, and behold an advocate! We sat down in sorrow, and rise in joy. We leaned upon rhubarb and aloes, and our aprons were made of the sharp leaves of the Indian fig-tree. And so we fed, and so were clothed. But the rhubarb

proved medicinal, and the rough leaf of the tree brought its fruit wrapped up in its foldings, and round about our dwellings was planted a hedge of thorns and bundles of thistles, the nightshade, and the poppy ; and at the root of these grew the healing plantain, which, rising up into a tallness by the friendly invitation of heavenly influence, twined about the tree of the cross, and cured the wounds of the thorns, and the curse of the thistles, and the maledictions of 'man, and the wrath of God. *Si sic irascitur, quo modo convivatur?* "If God be so kind when he is angry, what must he be when he feasts us with caresses of the most tender kindness?" Everything we receive above the line of our deserts should foster a spirit of cheerful gratitude.

Next to this reflection, the specific we would prescribe for a cheerful habit is activity in well-doing. Yes, there is evil enough in the world, and we must strive to make it less. How can we be cheerful in such a suffering world? Strive to make it better. Despair, sulks, and pampered indolence are a prey to *ennui*; but he who works for a good object keeps the enemy at bay, and good works leave no place for moodiness.

Excepting such cases of bodily infirmity as incapacitate for all motion, in which patience and submission may enact their own cheerfulness—for those flowers are sweetest which bloom by night—I can not conceive of one having a cheerful temper who is not accustomed to healthful bodily exercise. If there was oddity in the common prescription of the late Dr. Abernethy, of London, to his rich patients, there was much sound wisdom—"Live on a sixpence a day, and earn it."

Half the megrims which invade the domain of religion have their origin in laziness. Doubts and difficulties in spiritual concerns and despondencies in prayer quite as often arise from the want of bodily exercise as from a discriminating conscience. Never pity the man who strikes the anvil, or holds the plow, or works the ship, or prosecutes a trade. Give your compassion to the poor, shriveled form that has nothing to do. Cheerfulness is the first-born child of daily work.

There is a subject suggested in this connection which deserves an ampler discussion and the best consideration of the best men: the necessity of some kind of recreation, which, being innocent in its nature and incapable of perversion, shall give to body and mind a needed stimulus and refreshment. It is, of course, in city life that the problem is of the most difficult solution. No one who began life in the country can forget its simple recreations, its healthful sports. Who does not feel his spirits rise as he recalls the amusements of a northern winter, when sun and stars look down on the smooth and brilliant ice, tempting the skater to his joyous speed, and turning the horse from the dirt and flint of the road to the crystal path, where, with merry music of bell and laugh, he courses over the surface of water without wetting a hair of his fetlock.

The late Sidney Smith, himself a remarkable instance of the most buoyant cheerfulness, has shown an uncommon amount of sound English sense in this one direction to all who would attain an habitual contentment. "Take short views." His meaning would not be comprehended, if we did not remember how many are prone to distress themselves by the fear of remote

possibilities. "Borrowing trouble" is the common expression which describes the habit. It is not the actual occurrence of to-day which grieves and afflicts; but it is the imagination of what is likely to occur in some contingency of the future. "Take short views," says our adviser. Look at what you have already—this present day, this present hour. What is this but a paraphrase of our Lord's own direction—"Take no thought for the morrow; for the morrow shall take thought for the things of itself." Traveling on some of the railroads of the country—such, for example, as that which winds through the Alleghanies, or the Water-Gap of the Delaware—looking far in advance, it would seem that huge mountains were dropped directly upon your road, obstructing all progress, and bringing you to a pause. But when you advance to the spot, you find that there is a way along which the road may wind, narrow and circuitous, perhaps, but smooth, and safe, and level as elsewhere, working itself free from all impediments, and emerging at length again into the open and extended plain country. Just so is it in the journey of life. We anticipate formidable obstructions, and imagine that an end has come to all farther advances, by the towering mountains which stretch away across the distant horizon. Shorter views would make us content with the road which is ready for this day's journey; and past experience should satisfy us that there are no hills so high, no valleys so precipitous, no passes so rugged, but that a road runs through them all, when the time has actually arrived for the march. Every man gets through the world without coming to a halt.

Another thing conducive to cheerfulness is the regu-

lation of desire within proper and natural limits. Another thing for which Sidney Smith deserves admiration was, amid all his honorable aspirations, the absence of mean jealousies. He had a brother who was titled and wealthy, but toward him was nothing exacting or envious. He occupied his own sphere, and was very brave and contented in managing his own affairs, and the very cattle in his inclosures had occasion to be thankful for his kindness. The conditions of contentment are put at a very low figure in the Scriptures—"having food and raiment." It is the intrusion of envy and jealousy which destroys cheerfulness; and if I were to string together a few brief hints as to the manner in which this bright virtue may be cultivated, they would be in this wise: As every man has a will of his own, you must expect every day that your own will be crossed; and when this is done, you must bear it as meekly as when you cross the will of another. Expect not too much of others, and then they will be more tolerant of you. Esteem others more highly than yourself, and watch for the opportunities in which you can say a kind word and confer a small pleasure. Be studious to see what is good and hopeful to be applauded in another, rather than what is evil to be reproved, and amid all the trivial annoyances of life, measure those substantial blessings which come to you every hour from the open hand of Christ; and if the practice of these rules does not cure a clouded brow and an irritable manner, then it is because you need, and most probably will have, some other medicine besides that of a merry heart.

Last of all, chief of all, if you would be cheerful in such a world as this, you must exercise a constant trust

in an all-wise Providence. When, in the earlier part of this discourse, I referred to the necessity of cheerful sentiments in regard to our national affairs, even when they were most alarming, do not suppose that I intended anything like that reckless confidence which is born of pride and inflated by egotism, which is at once our national characteristic and peril. We mean the recognition of that Divine Supremacy which directs the revolutions of time and events with a wisdom and love and power superior to our own, and an obedient deference to His will. If we will consider it honestly, we shall be convinced of the fact, that the occasions for individual and national gratitude which are owing to our own power and achievement are very few, while those are boundless which spring from Him who watches alike the fall of a sparrow and the rise of empires. Never was there a better compend of wisdom, for individuals and nations, than that expressed in these few words of inspiration, "Be careful for nothing" (the word denotes an uneasy, uncheerful apprehension), "but in everything, by prayer and supplication, with thanksgiving, let your requests be made known unto God, and the peace of God, which passeth all understanding, shall keep your hearts and minds through Jesus Christ." It has been very profanely said by some, in their perverse way, that, as things are among us, we have small occasion for thanksgiving. Such men ought to pass their lives in Mexico or Algiers. Nothing to be thankful for! If all the people of these States would, for the whole day, in their homes and in their houses of worship, employ themselves in recounting the mercies of God by which we are distinguished, what beneficent effects would flow from the

gratitude such an occupation would inspire. Direful evils there may be—national sins may provoke Divine displeasure—perils may environ us—but, notwithstanding all, how much for which we ought to be thankful! “The Lord has done great things for us, whereof we are glad.” Let us come with our homage and gratitude, and sing praises to Him. In the worst times let this be our joyous confidence—“The Lord God omnipotent reigneth.” “Although the fig-tree shall not blossom, neither shall fruit be in the vines; the labor of the olive shall fail, and the fields shall yield no meat; the flock shall be cut off from the fold, and there shall be no herd in the stalls: yet I will rejoice in the Lord, I will joy in the God of my salvation.” If there is one peril more than another which threatens our prosperity, I will venture to give it a name—that indifference to our mercies which might provoke God to withdraw them and give them to another people. May God incline us more and more to that unambitious, unselfish, contented, cheerful, thankful temper, which is at once a medicine and a feast, an ornament and protection.

Bear with me in one word of another sort, which, unsaid, might leave some heart in the revulsion of disappointment. This morning I received a note from a friend, informing me of the death of his child. It was on the morning of a Thanksgiving Day that I was myself once bereaved of a child. Not a few have come up to this place to-day in a strange loneliness. But there is nothing incongruous in what we have said to their condition. Mirth might be to them the occasion of affliction and pain, by the intrusion of contrary qualities. But as to cheerfulness, what heart knows so

much of it as that which has been mellowed by affliction? Not he who has been elated by long-continued prosperity knows the secret of true serenity, but meek-eyed sorrow speaks with a low and gentle voice of the goodness of God; and the best incentives to gratitude are those which memory brings up from the shadows of the past. If your young child does not occupy a seat at your table to-day; if you can not put your hand on its fair head with a blessing, thank God for its better home—its better shelter—and the warm and better love you bear it, now that the heavens have received it. May the God of all grace and consolation cause us all to abound in hope, even unto the end.

If there are fears and clouds, there is also a bow. Be still, be cheerful, be thankful. Let this day, sacred to religious gratitude, to contentment, to charity, aid us all in preparation for eternal songs and festivities in the Kingdom of God.

TRIBUTE TO THE MEMORY OF HUMBOLDT.

Addresses by the Rev. Dr. Thompson, Prof. Lieber, Prof. Bache, Prof. Guyot, and the Hon. George Bancroft.

IN compliance with a call issued by the New York Geographical and Statistical Society, a meeting was held on the evening of June 2d, 1859, in the Hall of the Historical Society, New York, for the purpose of giving expression to the sense of regret with which the men of science in this country have heard of the death of Alexander von Humboldt. The audience filled the Hall to overflowing.

The Rev. Joseph P. Thompson, D.D., in the absence of the President, presided. Seated on the platform were Prof. Morse, Baron Gerault the Prussian Minister,—Judge Daly, Profs. Lieber and Guyot of Columbia College, and Prof. Bache. In the audience were President King, of Columbia College, Hon. George Bancroft, Henry Grinnell, Dr. John W. Francis, and other distinguished citizens.

On motion, the usual routine of business was dispensed with, save as to the reception of new members, whose names were accepted without dissent.

ADDRESS BY REV. DR. JOSEPH P. THOMPSON.

I do not occupy this chair, in the absence of our respected and honored President, for the purpose of pronouncing a eulogy upon that illustrious name, to commemorate which you are convened; for I have neither personal recollection to give you, nor can I speak as a man of science. We are here with a common interest—to commemorate the name of him whose statuette graces this table; whose portrait yonder, painted in his youth at Quito by an artist of that country, and now in the possession of Mr. Church, who has so recently illuminated for us the Heart of the Andes;

a more recent portrait yonder, painted in Germany, and the photographs in various parts of the room, recall—if, indeed, you need to have them recalled—those features which stand connected with the history of science for two thirds of a century. But though I may not speak from personal recollection, nor as a man of science, I wish, in one word, to pay my humble tribute as one interested in the study of nature—as a member of the profession which I humbly represent, to the great services which Humboldt has rendered to us as students by that method of study wherein he is to us so fine an example; for he had already projected in his youth, when beginning his career as a man of science, that great work of systemization which he lived to complete, and which will pass down in his “Cosmos” as an imperishable monument of his learning, of his industry, and of his fame.

There are names which are international, which not only stand upon the page of history as connected with specific events, with local interests, but are the common heritage of nations. And such is the name of Humboldt. Speak that name amid the Alps, where he began, in the ardor of youth, his scientific investigations, and the echo comes back from the Andes on one hand, and from the Ural on the other—for what land or what tongue is there that does not pronounce the name of Humboldt? [Applause.] It was his aim, from the beginning of his scientific life, so to comprehend in his capacious survey all sciences in their inter-relations as to be able to reduce them to the grand order of a system. How well he succeeded in this, the work whose name is on every lip that names the name of Humboldt, the “Cosmos,” well defines. It is not as a traveler merely—it is not merely as a man of science—that the whole scientific world and the whole civilized world unite to do him homage. It is as one who labored in the great interests of science for humanity; for he ever kept within him a fresh and young and noble heart; and he himself bears testimony that the interests of humanity were the crowning interests in his own mind in all his labors. This was the consummation which he sought to reach—to benefit mankind, and uplift the race by the developments and arrangements of science. But he has passed, in serene old age, from that sphere which he so long lived to illumine with the luster of his presence, with his genial hospitality, and with the products of his amazing research and industry.

In that beautiful picture to which I have referred, in the Heart

of the Andes, you see embosomed within the mountains, in the midst of that tropical warmth and verdure, a peaceful lake, the way of ascent to which is by the Cross, where those who have toiled up that weary way repose in security and serenity. So, may we hope that he has ended his long and toilsome pilgrimage in a serene home within the everlasting mountains; for, of what avail is all knowledge, all science, except they lead us onward and upward to that serene abode? He, by that vast comprehensiveness of his survey, by the accuracy of his knowledge, by studying laws and principles evolved from the chaos of individual sciences, that Cosmos of beauty, order, and harmony. So all our sciences and knowledges should be as a sapphire stairway to lead us onward and upward to the diviner Cosmos where all truth, order, beauty, love, and joy dwell forever under the perfected law and will of Him and about His central throne. [Applause.]

The Librarian of the Society then read letters from Lieut. Maury, Prof. Agassiz, Prof. Silliman, Mr. Brünnow, Prof. Dana, Mr. D. D. Barnard, and Hon. Mr. Vroom, late Minister to Berlin.

THE CHAIRMAN.—While we are disappointed by the absence of these gentlemen, whose letters have been read, I am happy to recognize here the Prussian Minister, Baron Gerault, who has taken the pains to come from Washington expressly to attend this meeting. [Applause.]

It is proposed to preface the formality of resolutions with some personal reminiscences of Humboldt, with which we are to be favored by a gentleman who knew him intimately—a gentleman whom we are now proud to claim as a citizen of New York, in connection with one of our leading universities, and who, by his profound disquisitions on political ethics and moral science, as applied to law and government, has already won for himself a name that shall pass into history. [Applause.] We have invited Prof. Lieber to favor us with his personal recollections of Humboldt. [Applause.]

ADDRESS BY PROFESSOR LIEBER.

“The whole earth is the monument of illustrious men.” There are passages in the works of antiquity, which, to our ears and minds, have the sound and the depths of inspiration. They impress themselves on our souls, and corresponding occasions on the paths of our lives restore them to visible letters. Such seem to me

these words of Pericles, and such the occasion which has brought us together in this place. What Pericles said, in his funeral speech, of the men who had fallen, not for the defense but for the glory of Athens, seems to apply in a double sense to Alexander von Humboldt. Wherever death occurs or is remembered, there is solemnity; nor can we wholly free ourselves even from mourning when a revered man has left us, however full his measure of a favored life may have been. He lived so long and so large a life that generations over the whole globe had grown up familiar with his name, and we were so accustomed to it that our very intellects feel a degree of discomfort at presenting to our minds the world henceforth as existing without him. Yet it is one of the noblest delights for those who reflect and love to be grateful, to trace the chief components of the monument of illustrious men to their authors—to find whence came the discoveries, inventions, conceptions, institutions, and endeavors of ages in the field of culture, freedom, and truth. Who has not enjoyed the pleasure of finding the spots on the charts of human progress, where you put down your finger and say: Here is Aristotle, here are the Valdenses, here the causes and the effects of the University—and of tracing the lines of civilization in different directions from point to point? And this delight we may enjoy when meditating on the period of which Humboldt was one of the most distinct exponents—we may enjoy it even now, although he has left us but yesterday; for God allowed to him days so long that he passed into history before he passed away from among us. Many of my young friends have asked me as their teacher, and, indeed, many other friends have repeated the question as I conversed with them on that news which on its arrival attracted more interest than the advice of the threatening contest in the plains of Italy—Was he not the greatest man of the century? I do not believe it fit for man to seat himself on the bench in the chancery of humanity and there to pronounce this one or that one the greatest man. How many men have been called the greatest! But if it is an attribute of greatness to impress an indelible stamp on an entire movement of the collective mind of a race; if greatness, in part, consists in devising that which is good, large, and noble, and in perseveringly executing it by means which, in the hands of others, would have been insufficient, and against obstacles which would have been insurmountable to others; if the daring solitude of thought and loyal adhesion to its own

royalty is a constituent of greatness; and if rare and varied gifts, such as mark distinction when singly granted, showered by Providence on one man; if modest amenity gracing these gifts, and encouraging kindliness to every one of every nation that proved earnest in his pursuit—whether he had chosen nature or society, the hieroglyphics or the liberty of America, the sea and the winds, or the languages, astronomy, or industry, the canal or prison discipline, geography or Plato; if, in addition, an organizing mind—a power of evoking activity in the sluggish—and sagacity and unbroken industry through a life lengthened far beyond that which the psalmist ascribes to a long human existence; if a good fame, encircling the globe on its own pinions, and not carried along by later history,—if these make up or prove greatness, then indeed we may say, without presumption, that our age has been graced by one of the greatest men—so favored an exemplar of humanity that he would cease to be an example for us had he not manifested through his whole life of ninety years that unceasing labor, unvarying love of truth and advancement, and that kindness to his fellow-beings, which are *duties*, and in which every one of us ought to strive to imitate him. What an amount of thinking, observing, writing, traveling, and discovering he has performed, from that juvenile essay of his on the textile fabrics of the ancients to the last line of his “Cosmos,” which reminds us of Copernicus reading the last proof-sheet on his death-bed shortly before his departure; or of Mozart, who directed with dying looks the singing of a portion of his requiem, which he had in part composed on his death-bed! Let us one and all, young and old, symbolize by his name the fact that, however untrue assuredly the saying is that genius is labor, it is true that the necessary factor or coefficient of genius and of any talent is incessant diligence. We are ordained not only to eat the bread of our mouth in the sweat of our brow, but to earn in the same way the nourishing bread of the mind. This is no world of trifling, and Humboldt, like the Greeks, whose intellectuality he loved to honor—whose Socrates loved to say, Arduous are all noble things—was a hard-working man, far harder working than most of those who arrogate the name to themselves. He ceased to work and to work hard only when he laid himself down on that couch from which he never rose again. It is not considered inappropriate, I believe, on occasions like this, to give distinctness to the picture by stating personal observations. Allow

me, then, to relate a very simple, yet a characteristic fact. I visited Humboldt at Potsdam in the year 1844, when he had reached, therefore, the age of 75; for you know that he was born in that memorable year of 1769, in which Cuvier was born, and Wellington, and Chateaubriand, and Napoleon, and Canning, and Walter Scott, and Mackintosh—just ten years after Schiller—just twenty after Goethe. Humboldt told me at that time that he was engaged on a work which he intended to call *Cosmos*; that he was obliged chiefly to write at night, for in the morning he studied and arranged materials, and in the evening he was obliged to be with the king from 9 o'clock to about 11. After his return from the king he was engaged in writing until 1 or 2 o'clock. Humboldt, when in Berlin or Potsdam, was retained—if we may use a professional term—to join the evening circle of the king for the indicated hours. It was all, I believe, he was expected actually to perform, in return for the titles, honors, and revenue which he was enjoying, except that the monarch sometimes selected him as a companion for his journeys. Humboldt described to me the character of these royal evening reunions. Everything of interest, as the day brought it to notice, was there discussed. The drawing of a beautiful live oak near Charleston, which a fair friend had made for me, was taken by Humboldt to that circle, where it attracted so much attention that he begged me to leave it; and he told me that the volume describing our aqueduct, which my friend the author—now the president of our college—had given me at the time of its publication, and which I had then sent him, had furnished the topic of discussion for an entire week. “We collected,” he said, “all possible works on ancient and modern aqueducts, and compared, discussed, and applied for many successive evenings.” Is there, then, a royal road to knowledge, after all, when a Humboldt can be retained? May I extend your supposed permission of giving personal anecdotes, provided they are of a sufficiently biographical character, such as Plutarch, perhaps, would not have disdained to record? I desire to show what interest he took in everything connected with progress. I have reason to believe that it was chiefly owing to him that the King of Prussia offered to me, not long after my visit, a chair to be created in the University of Berlin, exclusively dedicated to the Science and Art of Punishment, or to Pœnology. I had conversed with the monarch on the superiority of solitary confinement at labor

over all the other prison systems, when he concluded our interview with these words: "I wish you would convince Mr. Von Humboldt of your views. He is rather opposed to them. I shall let him know that you will see him." Humboldt and prison discipline sounded strange to my ears. I went, and found that he loved truth better than his own opinion or bias; and my suggestion that so comprehensive a university as that of Berlin, our common native city, ought to be honored with having the first chair of Pœnology (for which it was high time to carve out a distinct branch, treating of the convict in all his phases after the act of conviction), was seized upon at once by his liberal mind. He soon carried the minister of justice along with him, and the offer to which I have alluded was the consequence. On the other hand, a friend, whose name is perhaps more interwoven with the history of our canal than that of any other citizen, except Clinton, informs me that he had the pleasure of sitting by the side of Humboldt at a royal dinner at Charlottsburg. During the whole time they were engaged in conversing almost exclusively on our great canal, and that greater one which ought to unite in everlasting wedlock the sturdy Atlantic and the teeming Pacific, having now yearned for one another for centuries. Humboldt spoke with a knowledge of details and a sagacious discernment which were surprising to my friend, well versed in all the details of these topics. Although it has been stated by high authority that the works of Humboldt show to every one who can "read between the lines," an endeavor to present nature in her totality, unconnected with man, I can not otherwise than state here that, on the contrary, it has ever appeared to me that this great man, studying nature in her details, and becoming what Bacon calls her interpreting priest, elevates himself to those heights whence he can take a comprehensive view of her in connection with man and the movements of society, with language, economy, and exchange, institutions and architecture, which is to man almost like the nidifying instinct to the bird. Humboldt's tendency in this respect seems to me in its sphere wholly dissimilar to the view which his friend Ritter takes of geography in connection with history. Humboldt, it would seem, could hardly be expected to stand in a different relation to the natural sciences. He was, with all his erudition and the grandeur of his knowledge, eminently a social man. I have found a passage in a paper written by a diplomatist and highly cultivated writer, Varnhagen von

Ense, which I feel sure will be listened to with interest. Von Ense describes his sojourn in Paris in 1810, and says:

“In the salons of Metternich (at that time Austrian Ambassador near the Court of St. Cloud) I saw Humboldt only as a brilliant and admired meteor—so much so, that I hardly found time to present myself to him, and to whisper into his ear a few of those names which gave me a right to a personal acquaintance with him. Rarely has a man enjoyed in such a degree the esteem of all, the admiration of the most opposite parties, and the zeal of all in power to serve him. Napoleon does not love him. He knows Humboldt as a shrewd thinker, whose way of thinking and whose opinion can not be bent; but the Emperor and his Court, and the high authorities in the state, have never denied the impression which they received by the presence of this bold traveler, by the power of knowledge, and the light which seems to stream from it in every direction. The learned of all nations are proud of their high associate, all the Germans of their countryman, and all the liberals of their fellow.” * * * “It has been rarely vouchsafed,” continues Von Ense, “to a man in such degree as to Humboldt, to stand forth in individual independence and always equal to himself, and at one and the same time, in scientific activity and in the widest social and international intercourse, in the solitude of minute inquiry, and in the almost confusing brilliancy of the society of the day; but I know of no one who, with all this, has endeavored throughout his whole life to promote the progress and welfare of our race, so steadily, uniformly, and with such ample success.”

So far Von Ense. This picture is, doubtless, true; but we ought not to recall it to our memory without remembering at the same time one of his most prominent characteristics—his simplicity and amenity, so inherent in him that they were never dimmed, so far as I know, by the luster of his talents or energy of his thought. The most perfect image of social refinement which I have to this day in my mind, is an early evening party at the villa of William von Humboldt, near the Lake of Tegel. Nature has not done much for that spot, but refined simplicity, courtesy, and taste, easy interchange of thought and experience, men of name and women of attractive elegance and high acquirements, young and old, travelers, courtiers, soldiers and students, music, works of art, with green lawns, shrubbery, and winding paths along smooth water

and waving fields, are components of that scene in the midst of which the two illustrious Humboldts moved and delighted others as much as they seemed to be gratified, giving and receiving as all the others did, never condescending, never indicating a consciousness that they encouraged the timid, but showing how gladly they received additional knowledge from every one. There are men here around me, of honored names in those sciences which Humboldt cultivated more especially as his own. I hope they will indicate to us how he infused a new spirit into them—how he immeasurably extended them, how he added discoveries and original conceptions; but I, though allowed to worship these sciences in the peristyle only, and not as a consecrated priest, crave permission to say a few words even on this topic. Some fifteen years ago Humboldt presided over the annual meeting of naturalists, then held at Berlin. In his opening speech he chiefly discoursed of the merits of Linnæus. He knew of Linnæus as Herodotus knew of Salamis and Thermopylæ; for the life of the great Swede overlapped by some ten years that of Humboldt, and all he there said of Linnæus seems to me to apply to himself with far greater force, and on an enlarged scale. In that speech, too, I remember he quoted his friend Schiller. Humboldt was, in a marked manner, of a poetic temperament. I do not believe that without it he would have been able to receive those living impressions of nature, and to combine what was singly received, in those vivid descriptions and language so true and transparent that they surprise the visitor of the scenes to this day. He had that constructive imagination—I do not speak now of inventive fancy—without which no man can be great in any branch, whether it belong to nature or to history. But yesterday an officer of our navy, whose profession has made him well acquainted with South America, by sea and land, with the Andes—one of the monuments of our illustrious man—told me that he knew of no descriptions, or rather characteristics, so true to living reality as “Humboldt’s Views of Nature,” which he had perused and enjoyed on the spot. The power of collocation and shrewdness of connection, the knowledge of detail and the absence of a desire to perceive things according to a system, the thirst for a knowledge of the life of nature, and the constant wish to make all of us share in the treasures of his knowledge—his lucid style, which may raise his “Cosmos” to a German classic—these seem to me to characterize Humboldt in his studies

of nature, besides all that which he has done as a professional naturalist. Humboldt's name and life may be termed, with strict propriety of language, international. He read and spoke English and Italian. He spoke and wrote Spanish with care and correctness, and French almost as well as German. He lived for entire periods of many years in Paris, and counted many French among his best friends, yet not at the expense of patriotism. In that very speech at Berlin, which has been mentioned, he dwells with pleasure on the penetrating effect which the German mind has exercised on all the physical sciences, no less than in the mental branches. Humboldt was a dweller in kingly palaces—a courtier, if you choose, and the son of a courtier—without a taint of servile flattery or of submission. He was rather the honored guest of royalty. He loved liberty, and considered it a necessary element of our civilization. He was a sincere friend of substantial, institutional freedom. His mind often traveled to this country; and that he loved America, sometimes with sadness, is sufficiently shown, were it not otherwise well known, by the singular love which the Americans bore him. To me that little piece of news was inexpressibly touching, which simply informed us that our Minister in Berlin, with the Americans now present at that city—a cluster of mourners from afar—formed part of his funeral procession—the only foreign nation thus represented. In his simplicity and genial warmth he did what many a bold man would have hesitated to do. I was present as a young and distant listener, when at Rome, immediately after the Congress of Verona, the King of Prussia, Humboldt, and Niebuhr conversed on the affairs of the day, and when the last-mentioned spoke in no flattering terms of the political views and antecedents of Arago, who, it is well known, was a very advanced republican of the Gallican school, an uncompromising French democrat. Frederic William the Third simply abominated republicanism, yet when Niebuhr had finished, Humboldt said, with a sweetness which I vividly remember, “Still this monster is the dearest friend I have in France.” Humboldt had all his brother's views of the necessity of the highest university education, and of the widest possible popular education, and he gave impulse to many a scientific, historical, or ethnological expedition, fitted out even by foreign governments, for he was considered the counselor of all. But I can not dwell here any longer on his versatility and manifold aptitude. It is proved by the literature of

almost every branch. If we read "Barth on Central Africa," we find Humboldt; if we read Say's "Political Economy," we find his name; if we study the history of the Nineteenth Century, we find his name in the diplomacy of Prussia and France; if we read general literature, we find his name in connection with Schiller and Madame de Stael; if we look at modern maps, we find his isothermal lines; if we consult Grim's Dictionary of the German Language, we find Humboldt as authority. That period has arrived to which Cræsus alluded in the memorable exclamation, "Oh, Solon, Solon, Solon!" and we are now allowed to say Humboldt was one of the most gifted, most fortunate, and most favored mortals—favored even with comeliness, with a brow so exquisitely formed that, irrespective of its being the symbol of lofty thought, is pleasant to look upon in his busts, as a mere beautiful thing—favored even in his name, so easily pronounced by all nations which were destined to pronounce it. When we pray not only for the kindly fruits of the earth, but also, as we ought to do, for the kindly fruits of the mind, let us always gratefully remember that He who gives all blessed things has given to our age and to all posterity such a man as Humboldt.

Resolutions were then offered by Judge Daly and seconded by Professor Bache, who was introduced by the President.

THE CHAIRMAN.—Humboldt somewhere remarks, that they who merely observe the coasts of a country can not fitly describe its interior, and therefore he made those vast interior researches which are on record in his works, seeking to combine sidereal observations with telluric phenomena. It is most fitting, therefore, as well as very gratifying to us, that a gentleman whom we delight to honor in the walks of American science, who has not only surveyed our coast, but comprehends our continent, and who has brought the science of Astronomy and the higher Mathematics to bear upon the best practical interests of the nation, should respond to these resolutions. I have the honor to call upon Professor Bache. [Applause.]

ADDRESS BY PROF. A. D. BACHE.

I am sure that these resolutions, admirably worded and comprehensive as they are, will meet a ready response from all—will be carried by acclamation—and will need no enforcement, feeble as mine must be, or even strong as that of the orator of the evening [Prof. Lieber]. I came here to-night out of love to Humboldt and

respect to you. Such an occasion needs no preparation; but to appear before an intelligent audience like this, and endeavor, unused to public speaking, to make unpremeditated remarks, does require some apology, and requires nothing less than the command of the President to warrant me in attempting to do so. I beg your indulgence. I shall speak as the words come to me, and out of veneration, excessive it may be, but one which I know you all share with me, for the memory of this great, this good, this emphatically *the* man of the Nineteenth Century. [Applause.]

Science has been called upon within a few years to mourn the loss of two of its most illustrious leaders, Arago and Humboldt. The life of Humboldt, beginning some seventeen years before that of Arago, had its close subsequent to his, so that it may be said that that life inclosed, as it were, the life of Arago. These men were singularly alike in many respects; strangely different in others. I am very sure that the analytical mind of my friend, Prof. Lieber, would be well exercised in pointing out these diversities and these analogies on the part of the two greatest men of our century. I say of our century, because, though born in the last century, their great works have been accomplished in this. And even the work of Humboldt, beginning as it did, at the commencement of this century, may be considered as entirely belonging to us; and the glory of it has certainly been the glory of this century. True, the preparation for it was made in the past; true, the inception of it was in the past century, but the execution of the work itself, of that magnificent description, and which laid the basis of his great reputation, belongs to us. We may date it from 1803.

Arago and Humboldt loved to call each other dear friends. Arago was of an impetuous temperament, while Humboldt was mild; yet two such men could love each other, and love each other truly. One of the most touching letters I ever received was from Humboldt chronicling Arago's blindness. If ever anything could be more touching, it was the signature of Arago—"Arago, almost blind"—attached to one of his letters.

Humboldt had it in his power in his early days to assist Arago; Arago had it in his power in after days to repay the kindness of Humboldt. What a strange preparation for the secretaryship of the French Academy was that of Arago! A mountaineer, a graduate of the Polytechnic School, conducting a geological survey in Spain; taken prisoner there, and carried to a prison; escaping thence,

seized by pirates and forced for a long series of years to be their slave interpreter ; returning to his home after all had supposed him dead, and his good mother had had many masses said for his soul—was this the preparation for the greatest physicist of the age? was this the preparation for the astronomer of France? was this the preparation for the perpetual secretaryship of the Academy of Sciences? Truly, as my friend has pronounced it, this was genius.

What was the preparation of Humboldt for his adventures? Was he not born a traveler? Was he made a traveler by his studies in Berlin, or in Göttingen? Was he made a traveler by all the scholastic learning which was poured into him up to the age of eighteen? No; he was born to be a traveler. The instincts of travel were in him. That imagination of which Prof. Lieber has so beautifully spoken, was his. He viewed Nature; he viewed Man. Things were to him, Art was to him, and Man was to him. He neglected nothing; he saw all. Most men of science have what is called their specialty. They adopt some one branch; pursue it zealously, sedulously, and with such talent as nature has given. They advance that branch, and acquire a high reputation. Other men treat the subject superficially; they run over many subjects, and are masters of none. Such men often acquire great notoriety, but not a solid reputation. They acquire notoriety by those who, though unskilled in the particular branches which they have pursued, be they many or few, have general ideas of beautiful diction, and of a popular mode of presenting a subject. But the true reputation is that which is to be acquired from one's peers, from those who have studied and are masters of the same subjects. Then, if the popular element be added, it becomes fame. There is notoriety; there is the true judgment of the peer—it becomes then fame.

That fame was enjoyed by both of these illustrious men, Arago and Humboldt. They gave themselves to special branches, but they also arose above specialties; they embraced many branches, and were equally great in all—not pronounced great by those who did not know these subjects, but by men great in them as their own specialties. That was true reputation. They had, moreover, that singularly popular gift of presenting knowledge so as to be understood and felt; so to speak, so that the *heart* of common humanity might shine out as well as the *head* appear. Arago was famous for this. Look at his elegies. Was ever anything more exquisite than his portraits of those men whom he delighted to honor? How beauti-

fully does the soul of Arago shine out in those elegies, when taking sometimes a popular man, but oftener some one entirely misunderstood in his day and generation, he brings his virtues and greatness to the light in a manner understood by every one! Take his popular treatises on meteorology or the steam-engine—why, if he had done nothing else than to write those popular books, he would have been famous. But when we find engrafted on his solid learning all this beauty of diction and arrangement, our minds are filled to overflowing with the idea of the greatness of the man who could accomplish so much. Though I am warned that Arago is not the theme, how can I separate these two men who never separated even in the stormiest time of revolution? Diverse as were their fates, and the fates of their countries, and diverse as were their positions in those countries, they always corresponded intimately, closely, fraternally.

It was to the letters of Arago that I owed the friendship of Humboldt. When the Coast Survey, of which I am superintendent, was attacked by one of the ablest, and I may say strongest politicians of our day, Arago and Humboldt were the men to fly to the rescue of the work. They needed no preparation for this, and were ready at once with their letters expressing their sentiments as to the value of the work itself, and in regard to the way in which it had been executed; and it was to their testimony that the Secretary of the Treasury appealed, saying that the testimony of such men as Arago and Humboldt could not be set aside; and it was not set aside. [Applause.]

The reputation of Arago, it may seem by the want of response which we showed at his death, was not so general as that of Humboldt. That, however, is a mistake. Every American fond of science who visited Paris, always found ready access to this man, whom one of his countrymen called the Sultan of the Observatory. But the Sultan of the Observatory was never invisible to an American who claimed to see him as a friend of science. But Humboldt's reputation was emphatically American. It was made on this continent. His great travels of six years were given to men and things on this continent. It was on this continent that all his zeal for travel came out. It was here, in the heart of the Andes and on the peaks of Chimborazo, that he found the true field for his genius—in exploration, geology, botany; nothing escaped him, not even the currents of the sea; and many a man has made a reputation by enlarging and expanding the ideas he has thrown out

broadcast in his great book. He was not satisfied with this: his discussion of Mexico, politically viewed, was as great a book as that devoted to the discussion of the general physics and geography of this continent. Nor was he satisfied with South America, but he embraced North America in his researches. Returning from his labors in Mexico, by the way of Havana, he stopped in your sister city, Philadelphia, and there he made the acquaintance of some of the most eminent literary men of that day. He was always delighted to speak of his visit to Philadelphia, and to keep in his eye the progress of that city, step by step, in population, expansion, science, and literature. He loved to talk of the men he had met there, and of the greatness of the country to which that city belonged. His scientific labors having been chiefly performed on this continent, he looked to this continent for his reward, and we feel that he was—pardon me, Baron Gerault—almost an American. [Applause.]

Humboldt's mental characteristics it becomes me not to endeavor to grasp. But take his great work; look at it in its details; look at it in the separate volumes embracing the different subjects; then look at the general discussions contained in it—his peers have pronounced it to be without parallel, and have declared it to be one of the greatest books of his day. Not for us have they so pronounced it, for few of us will undertake even to discuss one branch of the many contained in these books.

He was always ready with his co-operation. He was devoted to magnetic science, had observed himself, but he was not satisfied with his own observations, and he collated those of other people. He invited their attention to obscure points; and it has been through his agency that magnetism has made so much of a stride in modern times. In 1836, when the German Magnetic Association had run its career of usefulness, and it was felt that Futz and Webber had done all they could do, the British Government, invited by the British Association for the Advancement of Science, and by the Royal Society of London, determined to have what was afterward popularly called a Magnetic Crusade, and they would invite the world to join them to fill up the desirata of magnetism—by whom pointed out? By Alexander von Humboldt, a foreigner; and they under his leadership were brought to act, and it was the influence of his great name that gave to that magnetic crusade the impetus which it received, and which has resulted in the best observations that had

ever been collected on any subject of physics up to the present day in science. I recollect, many years ago, when that crusade was started, the question was, as it often is in our country, *Cui bono*, what is the use of all this? Later, the question was, What has been done? Why, observatories have been established by Great Britain in her colonies, and in the United States by voluntary enterprise. What has it all resulted in? What have they found out? Time is always necessary in these matters. It was once said of a great school in the United States, while those who had left the school were yet mere boys, What men has it produced? And so it is with these magnetic observations. The question would seem a very absurd one now, if it were asked, What did these observatories do? What a remarkable discovery is that of the change in the magnetic declination, connecting it with the spots in the sun and their change, and the perfect establishment of the fact that these magnetic phenomena are guided and governed by heavenly bodies; both by those that are near to us, like the moon, and by those that are distant, like the sun; not only so, but that magnetic storms are produced by these changes in the solar atmosphere itself. Then, if we come down to the ordinary affairs of life, what has been done? It has enabled us to know exactly the change of the magnetic variation from year to year, to designate the laws of the change, find when it is the greatest or the least, how much it amounts to in every part of the United States, and it enables us to know how the needle should point with respect to the magnetic meridian, and enables every man to know where his land is—I suppose that is of some practical importance. [Laughter.]

Humboldt was always ready for co-operation. You could never approach him without feeling that immediately. He was one of the most voluble speakers in private conversation I ever heard in my life, and one of the most agreeable too, full of anecdote, sometimes indulging in a little fun. You would hardly think he could be funny, but he was. I remember his telling me with great glee the curious story of Doctor Howe, who, when the police in Paris were sent to search his house for revolutionary documents, had just time to put some papers which he wished to conceal—where do you think? in the head of a statuette of the king. [Laughter.] The statuette was in the parlor in which I stood, and the Baron pointed it out to me. When he spoke in English, Americans and Englishmen could follow him, but I doubt whether many foreigners could,

When he spoke in French, an ear unaccustomed to the French had the greatest difficulty in following him; but when he spoke in German, it was absolutely at a race-horse speed. Does this seem to you like trifling? It is connected with the amiable character of a kind, out-spoken man, who could remember a child on a Christmas eve, and invite that child to a family party, when she would find her little presents hung upon the Christmas tree. [Applause.]

I had made, under his auspices, some magnetic observations in Berlin, but I was dissatisfied with them; the needles were out of order; they gave no good results. I took them to the Baron, and told him that they were good for nothing. "Why, my friend," says he, "you have been traveling from Italy with these magnets all the way—why, will they not answer your purpose?" I said, "They would do very well where there were no others, but certainly they would not do in Berlin, where observations were going on of a much better kind." "What can I do for you? I will introduce you to Encke, who will grant you the use of his magnetic observatory, and will afford you all proper means for making observations here in Berlin." [Applause.]

The figure of Humboldt rises before me as I knew him then. That beautiful statuette of Rauth gives an admirable idea of the man, even to that curious expression of his great eye, which made you fearful sometimes to approach him—a looking down of the eye, the lids falling down over the eye like those of a near-sighted person, which made you think, "I don't see the whole of that man's soul." But you did. His voice gave it to you by its sweet, musical, and sincere tone. He was not one of those men who thought one thing and said another. When you heard him speak, you heard the soul of Humboldt—you knew his heart. This is why his cotemporaries loved him so; this is why his king loved him so; this is why we love him so. [Applause.] With a mind like his, some men think they might be stern and unsympathizing. I saw a letter from him, in which he says:

"I value that gentleman you have introduced to me. I value him for his mind, but more for his heart. I think he is one of those men with whom I could feel, and I have learned to value men more for their feelings than their thoughts." [Applause.]

His death was in harmony with his life, and nothing could be more sublime than the spectacle of his funeral, so beautifully al-

luded to this evening, when the Americans were brought together—as many as could be collected at that time—representing the different States of our Union, and led by our Minister, giving a national tone, as it were, to the mourning with which his hearse was followed. A conspicuous place was given to these Americans as representing us, because it was well known that such would have been the wish of this great and eminent man, could he at the moment have been consulted. He, who never turned an American from his door; he, who always received you in his library, in his study, and whose servants were trained to respect the name of an American, would surely have assigned that place to our country and countrymen in the procession, had he directed it before his death. But could such a man have directed it? No! His modesty was equal to his merit—to his amiability. He was truly the great and good man of the Nineteenth Century. [Applause.]

The resolutions were unanimously adopted.

THE CHAIRMAN.—In the opening remarks I alluded to the name of Humboldt as international, as my friend Dr. Lieber has also pronounced it. The great tongue of Germany has spoken for him. The tongue of American science has also spoken for him. We must also hear from that tongue which was next to his native one, the tongue of France.

I have spoken of Humboldt's grand conception, from his youth upward, of combining all science in its inter-relations and with the higher relations of man. We are favored with the presence of one whose earlier impulses in the same direction were guided and assisted by the large sagacity of Humboldt, and who in that admirable treatise, "Earth and Man," has thus combined physical facts and phenomena in relation to the higher interests of humanity. Prof. Guyot will now address us. [Applause.]

ADDRESS BY PROF. GUYOT.

MR. CHAIRMAN: If I rise before this brilliant, to me unexpected, audience, it is to obey your summons, and to redeem a pledge which I now see was very imprudently given. At this late hour, however, after so much has been said, and so well said, on the great philosopher, to honor the memory of whom we have to-day convened, I feel that I have no right to trespass upon the patience of the audience by any extended remarks. I beg leave, therefore, to call the attention only to one prominent feature of Humboldt's

character and soul, which appears to me so fundamental that it is, in my view, in a great measure the secret of his success.

While I admire, withal, his giant intellect, his wide grasp and power of generalization, his prodigious memory, and the universality of his knowledge, all of which were the indispensable instrumentalities for the performance of the task that he so courageously undertook and so gloriously achieved, I am still more struck by that ardent, devoted, disinterested love of nature, which seems like a breath of life to pervade all his acts—by that deep feeling of reverence for truth so manifest in him, which leaves no room for selfish motives in the pursuit of knowledge, and finds its highest reward in the possession of truth itself. Is it not, indeed, from these noble feelings, nowhere more common than in the deep and honest German soul—from these feelings, which are the life as well as the sinew of every true man of science—that flow, as from a sacred fountain, that honesty of purpose, that sincerity in the research, which prompts the student of nature both to the most scrupulous care in ascertaining the facts in their most minute details, and to those wide generalizations which alone enable him to read aright the deep and broad sense of the book of the universe, and to make this book reveal to him the magnificence and the infinite variety of the Creative Mind? Is it not the same craving and love for truth, which forbids him to stop learning as long as he feels that he has something to learn, and thus bids him constantly progress; which makes him at once thorough in his investigations, original in devising new methods and opening untrodden paths for the discovery of new laws; modest in his opinions, cautious in his statements, ever happy to receive light from others, and to acknowledge his indebtedness to them, as well as freely to impart what he has acquired; always ready to give up even a long cherished error, when recognized as such, and to help every one sincerely engaged in the sacred cause of scientific discovery?

All these virtues of the true man of science, Humboldt possessed in a high degree, while in him they were happily associated with commensurate talents. They imparted to his personality a worth far surpassing that which mere eminence of talent can bestow. In Humboldt, the heart as well as the mind—every one who came near him could not help feeling it—the whole man was engaged in the cause of science; and that enthusiastic devotion to so high an aim secured for him, besides the admiration due to his

vast labors, that reverence for his character which was so deservedly and so universally granted to him by his cotemporaries.

It is no exaggeration to say that his life was a long series of evidences given to the world of the reality of these noble qualities of mind and heart, and of his entire, unselfish devotion to the progress of human knowledge.

As a young man, in the period of preparation for active life, we find him full of enthusiasm for the study of nature in all its branches, seeking diligently for knowledge from all quarters, and becoming the friend and pupil of the most distinguished naturalists of the age. He prepares himself in his native country, by original researches on geology, botany, physiology, electricity, for the gigantic investigations in foreign lands that he dreams of, and that he was to achieve in the future, and does not hesitate to give up an official, well-remunerated situation, in order to be more free to pursue his favorite studies.

When released by the death of his beloved mother of the bonds of filial duty which had kept him at home, he sells his estates, which were by no means considerable, and ready to devote all that he possesses to scientific investigations, he starts, in 1798, for Paris, the great center of science, to secure the best instruments which could be obtained, and join some of the scientific expeditions then preparing for distant countries under the mighty impulse of the First Consul. Obstacles seem to accumulate, but his perseverance is unshaken.

In June, 1799, the Columbus of science leaves the shores of Europe, under the protection of the Spanish Government, for the colonies in tropical America, and begins that remarkable series of travels which led to the scientific discovery of the New World. Five years are spent among the burning wastes of the Orinoco, the rich solitudes of the Amazon, the deep and sultry valleys of New Granada, the elevated plateaus and lofty volcanoes of the Andes and of Mexico; five years of toil, of danger, of privation, but also of the highest enjoyment, during which he succeeded, by his untiring industry, and with the help of his faithful friend, Bonpland, in accumulating such an amount of information and of scientific materials, that to work them out was the task of his life. Nothing escaped his watchful, inquiring, and well-practiced eye; day and night he is at work, and his observations are made with such scrupulous care, and so much skill, that for accuracy they still stand unsur-

passed by the subsequent observations, made with instruments more perfect than those that science could then command.

After his return to Europe, in 1804, the question before him was not only how to prepare these rich materials for publication, but how to do it best; how to give them their full value, and to derive from them, for the benefit of science, all that they could furnish. Paris offered him a reunion of distinguished savants in all departments of natural science, for discussing his observations, and an abundance of specimens in its rich collections of natural history for comparing with his own, such as he could not find elsewhere. Germany, his own country, waits for him; his tenderly-beloved and noble-minded brother and his family wait for him; his heart is with them, but his duty to science speaks; he denies himself the pleasure of such a reunion, and takes his abode in Paris. There he remains for over twenty-two years, reviewing and studying anew, patiently, and with the most scrupulous care, every branch of science, and superintending the publication, in the most splendid style, of that long series of classical works which cost him the rest of his fortune, but won for him general admiration. Anxious, above all, not to build up a hasty reputation for himself, but to advance knowledge and to secure the greatest possible perfection, he shares his rich treasures with the most eminent men in each department of science, and requesting their collaboration takes modestly the second place, even where his own studies might have allowed him to take the first. To Cuvier and Latreille he intrusts Zoology; his friend Bonpland with himself, and afterward his German friend, Prof. Kunth, examine and describe the 4,500 species of plants that the traveler brought from the New World. Oltmann revises the computation of the astronomical and barometrical observations. No petty rivalry ever marred, even for a moment, his relations with so many collaborators—all remained his best friends to the end.

Humboldt's desire to be true to nature, and to reproduce the vivid image of the countries that he had visited, and of the grand phenomena that he had witnessed and carefully studied, does not allow him to remain in the beaten paths. His description of the physical structure of the Andes, his profiles across the plateaus of Mexico, the tableau of the distribution of the various forms of vegetation as connected with the changes of climate produced by altitudes, are a real revelation of the vast importance of the plastic form of our continents, which

was never forgotten since by science. The laws of the distribution of plants are for the first time reduced to a system, and placed on the true foundation of Climatology; and the isothermal lines invented by Humboldt to make clear these phenomena, become themselves the fertile source of new progress in Meteorology. Physical Geography assumes henceforth the scientific aspect that it now possesses, and that none more than Humboldt has contributed to give it.

The circumstance that Humboldt wrote in France, and that most of his associates were French, rendered it imperative for him to make the sacrifice of his own native language. He did so. All his works are written in that clear and positive language of France, which is pre-eminently the language of science, and which also is the most accessible to scientific men of all nations. Two of his works only make an exception; the "Views of Nature," that first outpouring of his youthful feelings, and of the vivid impression made on his enthusiastic and poetic soul by the grand nature of the tropics; and the "Cosmos," that last and supreme effort of the poet and the philosopher, in which the whole man, heart and mind, finds his highest manifestation; both of these are written in that rich German tongue, the language of the heart and the imagination, which was the language of his youth and of his old age.

After having nearly accomplished his long task, and not before, Humboldt yielded at last to the repeated invitation of his king and of his country, and returned to Berlin. Here again we find him at work in behalf of science. A large number of his countrymen knew him by reputation more than by his writings, which were written in a foreign tongue. He consented to give, in the winter of 1827-28, an outline of his vast researches and his profound views on nature, in a course of sixty-one public lectures, which became the foundation for his "Cosmos." All classes, from the king and the nobleman, to the literary, the scientific, and the simple man of intelligence and education, were represented in the immense audiences which gathered around him, and which no hall was large enough to contain. Humboldt was at the height of his glory and popularity. And still, a few years afterward, when scarcely returned from his great journey in Siberia and Central Asia, one might have seen in the same halls of the University the modest, gray-headed philosopher, laden with honors, both from Russia and from his own royal master, listening with eagerness, amid the crowd of students,

to the lectures of the celebrated philologist, Boeck. What a lesson for the young men around him! He was one of them, he who addresses you this moment, and he can assure you that though he has since personally received numerous tokens of kindness on the part of that great model student, he does not value that unintended lesson as the least.

But not only was Humboldt a valiant soldier in the field of science, he was always ready to help his fellow-laborers, and to urge on every plan by which new light could be obtained. His extreme readiness to co-operate in all such schemes has been justly dwelt on a moment ago, by the distinguished scientist who just addressed you, and who has a special right to speak of it.

At all times and in all positions, Humboldt gave the most signal evidences of his unflinching loyalty to the cause of universal progress. He was one of the warmest promoters of the foundation of that great University of Berlin, the glory of his native state, and of Germany. He planned that comprehensive system of magnetic and meteorological observations, and secured the co-operation of England and Russia, thanks to which that line of scientific stations extended over both hemispheres. Never was such a vast influence more faithfully, more unselfishly used for the common good. Those who have lived in Russia know how much of that fostering protection so largely granted to universities and public instruction in general, to scientific explorations in Europe and abroad, in the most liberal spirit, by Prussia, was due to the generous and the elevated views that he was spreading around him. And to speak only of individuals: who has ever approached him who has not a tale of kindness to tell of him? True, he has been charged with indiscrimination in the liberal patronage that he bestowed upon so many men, young and old. But as bountiful nature spreads broadcast a superabundance of germs, thus making provision for those which are lost, Humboldt, in his unlimited kindness and sympathy for every one in whom he recognized a sincere spirit, and a true love for nature and for knowledge, was ever ready to tender him a helping hand, even if his talents were not commensurate with his goodwill, knowing well that some good would grow out of his earnest efforts for the cause of humanity. [Applause.]

Well may such a man be claimed, not by one, but by all nations. As all great and good men, he belongs to mankind. Germany, the land of his birth, is proud of the just honor to possess his mortal

remains ; France places his image in the temple consecrated to the memory of her distinguished sons ; and we in America, we pre-eminently, by Providence, the cosmopolitan people, and the people of the future, let us rear him among us a monument such as he would approve ; let us honor the science that he cherished ; let us faithfully and harmoniously continue the work of the exploration of this New World that he has so well begun, by the careful methods that he taught us, and with the disinterested, truth-loving spirit, of which he gave us so remarkable an example ; and let this be the homage and the fit tribute of the Western Hemisphere to Alexander von Humboldt. [Applause.]

THE CHAIRMAN.—I am sure you will wait a few moments longer to hear about that patriarch who so often sat up till two or three o'clock at night to write for our instruction. I hope I shall be guilty of no discourtesy in calling, without notice, upon a gentleman upon my left. History already claims the name of Humboldt, and Americans may surely claim that their historian, who sits with us to-night, shall be the first to write his name upon that scroll with a master hand. Mr. Bancroft will pardon me for calling upon him. [Great applause.]

ADDRESS BY HON. GEORGE BANCROFT.

I considered silence my duty this evening, not from a want of intense admiration of Humboldt—not from a want of affectionate reverence for his virtues and his memory—but because I wished to hear his merits displayed by men of science, lovers of truth, men who have made a great name for themselves throughout the world. I thought you, like myself, would have preferred to hear his praises pronounced chiefly by them. But as the President has called upon me, to continue silent would seem like an unwillingness to acknowledge or to express my great sense of his surpassing merits. I rather think that one of the attributes of the greater age that belongs to me, is to have known Humboldt earlier than any one of those who have spoken to you to-night. As a young man of 20 years, I made my way from Berlin to Paris in the year 1820, taking letters from his brother, William von Humboldt, to Alexander. And, sir, you know—all of you know—what kindness he must have extended to me. To only two points shall I call your attention : one, his intense love of liberty. I came at that time with all

the zeal for liberty which may be pardoned in a young man, and which, I trust, I may be pardoned for retaining even in my old age. I found him full of it. [Applause.] It was in the time of Louis XVIII. He read with clear distinctness the character of parties—the conflict of opinion; and he declared himself with the utmost firmness against all those retroactive measures, and, above all, against that retroactive policy which was ultimately so disastrous to that line of kings. And not of France only; for greatly as he admired English statesmen and English men of science, and England, he saw also clearly how England at that time was suffering from the excess of aristocracy. I remember to this day the strong and emphatic language with which he expressed himself on that occasion. More than a quarter of a century after that I met him again in Paris. I found in him the same friend of man, the same friend of my own native country, the same love of liberty, the same breadth of statesmanship. He who knew our continent so well, knew the relations of the United States toward every part of it, and formed his judgments respecting the gradual advancement of the United States in the extent of its territory—judged us gently, judged us calmly, with the best and most fervent wishes for our welfare, with no disinclination to our increase of territory, wishing especially that California and all the noble tract of land which now belongs to us on the Pacific might come to us, expressing only his apprehensions as to the extent of territory there where circumstances might step in and interfere with the proper development of our free institutions. I have never heard any one discuss these questions of our relations to Mexico and our relations to Cuba more calmly, with more candor, and with more gentleness toward us, and with more full and perfect estimate of all the circumstances that would attend any further progress on our part. Sir, Humboldt was always the friend of young Americans. [Applause.] He measured his regard for us, not by any merits that we might have, but by the goodness of his own heart. He was always ready to pour out his thoughts, his sympathies, and his encouragements to any young man that came within his influence. I remember, in 1820, having at that early period bestowed a good deal of attention upon the study of languages, and, among others, the aboriginal languages of our own country, that he particularly pointed out the proper methods to be pursued in continuing inquiries and investigations on that subject. These ideas he not only communicated

by word of mouth, but he wrote them out at considerable length, and I had the satisfaction, when I returned, to communicate them to persons engaged in that branch of study; and I doubt not that in some degree they contributed toward the wonderful development of our acquaintance with the aboriginal languages of America. Sir, I could hardly say less than I have, and yet, I know that by no means have I said anything adequate to my own sense of the merits of Humboldt as a man of science and his virtues as a man. [Applause.]

On motion, the Society adjourned.

ADDRESS BY PROFESSOR LOUIS AGASSIZ, OF CAMBRIDGE.

Delivered at the annual meeting of the American Academy of Arts and Sciences, held at the Boston Athenæum, May 24th, 1859.

GENTLEMEN: I have been requested to present on this occasion some remarks upon the scientific career of Humboldt. So few days have elapsed since the sad news reached our shore, that I have had no time to prepare an elaborate account of that wonderful career, and I am not myself in a condition in which I could have done it, being deprived of the use of my eyes, so that I had to rely upon the hand of a friend to make a few memoranda on a slip of paper, which might enable me to present my thoughts in a somewhat regular order. But I have, since the day we heard of his death, recalled all my recollections of him; and, if you will permit me, I will present them to you as they are now vividly in my mind.

Humboldt—Alexander von Humboldt, as he always called himself, though he was christened with the names of Frederick Heinrich Alexander—was born in 1769, on the 14th of September, in that memorable year which gave to the world those philosophers, warriors, and statesmen who have changed the face of science and the condition of affairs in our century. It was in that year that Cuvier also and Schiller were born; and among the warriors and statesmen, Napoleon, the Duke of Wellington, and Canning are children of 1769, and it is certainly a year of which we can say that its children have revolutionized the world. Of the early life of Humboldt I know nothing, and I find no records except that in his tenth year he lost his father, who had been a major in the army

during the Seven Years' War, and afterward a chamberlain to the King of Prussia. But his mother took excellent care of him, and watched over his early education. The influence she had upon his life is evident from the fact that notwithstanding his yearning for the sight of foreign lands, he did not begin to make active preparations for his travels during her lifetime. In the winter of 1787-88 he was sent to the University of Frankfort-on-the-Oder, to study finances. He was to be a statesman; he was to enter high offices, for which there was a fair chance, owing to his noble birth and the patronage he could expect at the court. He remained, however, but a short time there.

Not finding those studies to his taste, after a semester's residence in the University, we find him again at Berlin, and there in intimate friendship with Wildenow, then Professor of Botany, and who at that time possessed the greatest herbarium in existence. Botany was the first branch of natural science to which Humboldt paid especial attention. The next year he went to Göttingen, being then a youth of twenty years; and here he studied Natural History with Blumenbach; and thus had an opportunity of seeing the progress Zoology was making in anticipation of the great movement by which Cuvier placed Zoology on a new foundation. For it is an unquestionable fact that in first presenting a classification of the animal kingdom based upon a knowledge of its structure, Blumenbach in a measure anticipated Cuvier; though it is only by an exaggeration of what Blumenbach did that an unfair writer of later times has attempted to deprive Cuvier of the glory of having accomplished this object upon the broadest possible basis. From Göttingen he visited the Rhine for the purpose of studying geology, and in particular the basaltic formations of the Seven Mountains. At Mayence he became acquainted with George Forster, who proposed to accompany him on a journey to England. You may imagine what an impression the conversation of that active, impetuous, and powerful man made upon the youthful Humboldt. They went to Belgium and Holland, and thence to England, where Forster introduced him to Sir Joseph Banks. Thus the companions of Capt. Cook in his first and second voyages round the world, who were already venerable in years and eminent as promoters of physical science not yet established in the popular favor, were the early guides of Humboldt in his aspirations for scientific distinctions. Yet Humboldt had a worldly

career to accomplish. He was to be a statesman, and this required that he should go to the Academy of Commerce at Hamburg. He remained there five months, but could endure it no longer, and he begged so hard that his mother allowed him to go to Freyberg and study Geology with Werner, with a view of obtaining a situation in the Administration of Mines. See what combinations of circumstances prepare him for his great career, as no other young man ever was prepared! At Freyberg he received the private instruction of Werner, the founder of Modern Geology, and he had as his fellow-student no less a man than Leopold von Buch, then a youth, to whom, at a later period, Humboldt himself dedicated one of his works, inscribing it "to the greatest geologist," as he was till the day of his recent death. From Freyberg he made frequent excursions into the Hartz and Fichtelgebirge, and surrounding regions, and these excursions ended in the publication of a small work upon the Subterranean Flora of Freyberg (*Flora Subterranea Fribergensis*), in which he described especially those cryptogamous plants, or singular low and imperfect formations which occur in the deep mines. But here ends his period of pupilage. In 1792 he was appointed an officer of the mines (*Oberbergmeister*). He went to Beyreuth as director of the operations in those mines belonging to the Frankish Provinces of Prussia. Yet he was always wandering in every direction, seeking for information and new subjects of study. He visited Vienna, and there heard of the discoveries of Galvani, with which he made himself familiar; went to Italy and Switzerland, where he became acquainted with the then celebrated Professors Jurine and Pictet, and with the illustrious Scarpa. He also went to Jena, formed an intimate acquaintance with Schiller and Goethe, and also with Loder, with whom he studied Anatomy. From that time he began to make investigations of his own, and these investigations were in a line which he has seldom approached since, being experiments in physiology. He turned his attention to the newly-discovered power by which he tested the activity of organic substances; and it is plain, from his manner of treating the subject, that he leaned to the idea that the chemical process going on in the living body of animals furnished a clew to the phenomena of life, if it was not life itself. This may be inferred from the title of the book published in 1797: "*Über die gereizte Muskelund Nerven-faser, mit Vermuthungen über den chemischen Process des Lebens, in Thieren und Pflanzen.*" In these explanations of the phenomena we have the sources of the first impulses in a direction which has been so beneficial in advancing the true explanation of the secondary phenomena of life, but which, at the same time, in its exaggeration as it prevails now, has degenerated into the materialism of modern investigators. In that period of all-embracing activity he began to study Astronomy. His attention was called to it by Baron von Zach, who was a prominent astronomer, and at that time was

actively engaged upon astronomical investigations in Germany. He showed Humboldt to what extent Astronomy would be useful for him, in his travels, in determining the position of places, the altitude of mountains, etc.

So prepared, Humboldt now broods over his plans of foreign travel. He has published his work on the Muscular and Nervous Fiber at the age of 28. He has lost his mother; and his mind is now inflamed with an ungovernable passion for the sight of foreign, and especially tropical, lands. He goes to Paris to make preparation by securing the best astronomical, meteorological, and surveying instruments. Evidently he does not care where he shall go, for on a proposition of Lord Bristol to visit Egypt, he agrees to it. The war prevents the execution of this plan, and he enters into negotiations to accompany the projected expedition of Capt. Baudin to Australia; but when Bonaparte, bent on the conquest of Egypt, started with a scientific expedition, Humboldt wishes to join it. He expects to be one of the scientific party, and to reach Egypt by way of Barbary. But all these plans failing, he goes to Spain with the view of exploring that country, and finding perhaps some means of joining the French expedition in Egypt from Spain. While in Madrid he is so well received at the court—a young nobleman so well instructed has access everywhere—and he receives such encouragement from persons in high positions, that he turns his thoughts to an exploration of the Spanish provinces of America. He receives permission not only to visit them, but instructions are given to the officers of the colonies to receive him everywhere and give him all facilities, to permit him to transport his instruments, to make astronomical and other observations, and to collect whatever he chooses; and all that only in consequence of the good impression he had made when he appeared there, with no other recommendation than that of a friend who happened to be at that time Danish Minister to the Court of Madrid. But with these facilities offered to him, he sails in June, 1799, from Corunna, whence he reaches Teneriffe, makes short explorations of that island, ascending the peak, and sailing straightway to America, where he lands in Cumana, in the month of July, and employs the first year and a half in the exploration of the basin of the Orinoco and its connection with the Amazon. This was a journey of itself, and completed a work of scientific importance, establishing the fact that the two rivers were connected by an uninterrupted course of water. He established for the first time the fact that there was an extensive low plain, connected by water, which circled the high table-land of Guiana. It was an important discovery in physical geography, because it changed the ideas about water-courses and about the distribution of mountains and plains in a manner which has had the most extensive influence upon the progress of physical geography. It may well be said that after this exploration of the Orinoco, physical geography begins to appear as a part of science.

From Cumana he makes a short excursion to Havana, and hearing there of the probable arrival of Baudin on the west coast of America, starts with the intention of crossing at Panama. He arrives at Carthagena, but was prevented by the advance of the season from crossing the Isthmus, and changed his determination from want of precise information respecting Baudin's expedition. He determines to ascend the Magdalena River and visit Santa Fé de Bogota, where, for several months, he explores the construction of the mountains, and collects plants and animals; and, in connection with his friend Bonpland, who accompanied him from Paris, he makes those immense botanical collections, which were afterward published by Bonpland himself, and by Kunth after Bonpland had determined on an expedition to South America. In the beginning of 1802 he reaches Quito, where, during four months, he turns his attention to everything worth investigating; ascends the Chimborazo to a height to which no human foot had reached, anywhere; and having completed this survey, and repeatedly crossed the Andes, he descends the southern slope of the continent to the shore of the Pacific at Truxillo, and following the arid coast of Peru he visits finally Lima. I will pass lightly over all the details of his journey, for they are only incidents in that laborious exploration of the country which is best appreciated by a consideration of the works which were published in consequence of the immense accumulation of materials gathered during those explorations. From Lima, or rather from Callao, he sails in 1802 for Guayaquil and Acapulco, and reaches Mexico in 1803, where he makes as extensive explorations as he had made in Venezuela and the Andes, and after a stay of about a year, having put all his collections and manuscripts in order, revisits Cuba for a short time, comes to the United States, makes a hurried excursion to Philadelphia and Washington, where he is welcomed by Jefferson, and finally returns with his faithful companion, Bonpland, to France, accompanied by a young Spanish nobleman, Don Carlo de Montufar, who had shared his travels since his visit to Quito.

At thirty-six years of age Humboldt is again in Europe with collections made in foreign lands, such as had never been brought together before. But here we meet with a singular circumstance. The German nobleman, the friend of the Prussian and Spanish courts, chooses Paris for his residence, and remains there twenty-two years to work out the result of his scientific labor; for since his return, with the exception of short journeys to Italy, England, and Germany, sometimes accompanying the King of Prussia, sometimes alone, or accompanied by scientific friends, he is entirely occupied in scientific labors and studies. So passes the time to the year 1827, and no doubt he was induced to make this choice of a residence by the extraordinary concourse of distinguished men in all branches of science, with whom he thought he could best discuss the results of his own observations. I shall presently have some-

thing to say about the works he completed during that most laborious period of his life. I will only add now, that in 1827 he returned to Berlin permanently, having been urged of late by the King of Prussia again and again to return to his native land. And there he delivered a series of lectures preparatory to the publication of "Cosmos;" for in substance, even in form and arrangement, these lectures, of which the papers of the day gave short accounts, are a sort of prologue to the "Cosmos," and a preparation for its publication. In 1829, when he was sixty years of age, he undertakes another great journey. He accepts the invitation of the Emperor Nicholas to visit the Ural Mountains, with a view of examining the gold mines, and localities where platina and diamonds had been found, to determine their geological relations. He accomplished the journey with Ehrenberg and Gustavus Rose, who published the result of their mineralogical and geological survey in a work of which he is the sole author; while Humboldt published, under the title of "Asiatic Fragments of Geology and Climatology," his observations of the physical and geographical features made during that journey. But he had hardly returned to Berlin when, in consequence of the revolution of 1830, he was sent by the King of Prussia as extraordinary ambassador to France, to honor the elevation of Louis Philippe to the throne. Humboldt had long been a personal friend of the Orleans family, and he was selected as ambassador on that occasion on account of these personal relations. From 1830 to 1848 he lived alternately in Berlin and in Paris, spending nearly half the time in Paris and half the time in Berlin, with occasional visits to England and Denmark; publishing the results of his investigations in Asia, making original investigations upon various things, and especially pressing the establishment of magnetic observatories, and connected observations all over the globe, for which he obtained the co-operation of the Russian Government and that of the Government of England; and at that time those observatories in Australia and in the Russian Empire to the borders of China were established, which have led to such important results in our knowledge of terrestrial magnetism. Since 1848 he has lived uninterruptedly in Berlin, where he published, on the anniversary of his eightieth year, a new edition of those charming first flowers of his pen, his "Views of Nature," the first edition of which was published in Germany in 1808. This third edition appeared with a series of new and remodeled annotations and explanations; and that book, in which he first presented his views of nature, in which he drew those vivid pictures of the physiognomy of plants and their geographical distribution, is now revived and brought to the present state of science. The "Views of Nature" is a work which Humboldt has always cherished, and to which in his "Cosmos" he refers more frequently than to any other work. It is no doubt because there he had expressed his deepest thoughts, his most impressive views, and even foreshadowed those intimate

convictions which he never expressed, but which he desired to record in such a manner that those that can read between the lines might find them there; and certainly there we find them. His aspiration has been to present to the world a picture of the physical world from which he would exclude everything that relates to the turmoil of human society, and to the ambitions of individual men. A life so full, so rich, is worth considering in every respect, and it is really instructive to see with what devotion he pursues his work. As long as he is a student he is really a student, and learns faithfully, and learns everything he can reach. And he continues so for twenty-three years. He is not one of those who is impatient to show that he has something in him, and with premature impatience utters his ideas, so that they become insuperable barriers to his independent progress in later life. Slowly and confident of his sure progress, he advances, and while he learns he studies also independently of those who teach him. He makes his experiments, and to make them with more independence he seeks an official position. During five years he is a business man, in a station which gives him leisure. He is Superintendent of the Mines, but a Superintendent of the Mines who can do much as he pleases; and while he is thus officially engaged journeying and superintending, he prepares himself for his independent researches. And yet it will be seen he is thirty years of age before he enters upon his American travels, those travels which will be said to have been the greatest undertaking ever carried to a successful issue, if judged by the results; they have as completely changed the basis of physical science as the revolution which took place in France about the same time has changed the social condition of that land. Having returned from these travels to Paris, there begins in his life a period of concentrated critical studies. He works up his materials with an ardor and devotion which is untiring; and he is not anxious to appear to have done it all himself. Oltmann is called to his aid to revise his astronomical observations and his barometrical measurements, by which he has determined the geographical position of seven hundred different points and the altitude of more than four hundred and fifty of them.

The large collection of plants which Bonpland has begun to illustrate, but of which his desire of seeing the tropics again has prevented the completion, he intrusts to Kunth. He has also brought home animals of different classes, and distributes them among the most eminent zoologists of the day. To Cuvier he intrusts the investigation of that remarkable Batrachian, the *Æolotel*—the mode of development of which is still unknown, but which remains in its adult state in a condition similar to that of the tadpole of the frog during the earlier period of its life. Latreille describes the insects, and Valenciennes the shells and the fishes; but yet to show that he might have done the work himself, he publishes a memoir on the anatomical structure of the organs of breathing in the ani-

mals he has preserved, and another upon the tropical monkeys of America, and another upon the electric properties of the electric eel. But he was chiefly occupied with investigations in physical geography and climatology. The first work upon that subject is a dissertation on the geographical distribution of plants, published in 1817. Many botanists and travelers had observed that in different parts of the world there are plants not found in others, and that there is a certain arrangement in that distribution; but Humboldt was the first to see that this distribution is connected with the temperature of the air as well as with the altitudes of the surface on which they grow, and he systematized his researches into a general exposition of the laws by which the distribution of plants is regulated. Connected with this subject he made those extensive investigations into the mean temperature of a large number of places on the surface of the globe, which led to the drawing of those isothermal lines so important in their influence in shaping physical geography and giving accuracy to the mode of representing natural phenomena. Before Humboldt, we had no graphic representation of complex natural phenomena which made them easily comprehensible, even to minds of moderate cultivation. He has done that in a way which has circulated information more extensively, and brought it to the apprehension more clearly than it could have been done by any other means.

It is not too much to say that this mode of representing natural phenomena has made it possible to introduce into our most elementary works the broad generalizations derived from the investigations of Humboldt in South America; and that every child in our schools has his mind fed from the labors of Humboldt's brain, wherever geography is no longer taught in the old routine. Having completed his American labors, Humboldt published three works partly connected with his investigations in America, and partly with his further studies in Europe since his return, and among others, a book which first appeared as a paper in the "*Dictionnaire des Sciences Naturelles*," but of which separate copies were printed under the title of "*Essai sur la Constitution des Roches dans les deux Hemispheres*." This work has been noticed to the extent which it deserved by only one geologist, Elie du Beaumont. No other seems to have seen what there is in that paper, for there Humboldt shows, for the first time, that while organic nature is the same all the world over—granite is granite, and basalt is basalt, and limestone and sandstone, limestone and sandstone wherever found—there is everywhere a difference in the organized world, so that the distribution of animals and plants represents the most diversified aspects in different countries. This at once explains to us why physical sciences may make such rapid progress in new countries, while botany and zoology have to go through a long process of preparation before they can become popular in regions but recently brought under the beneficial influence of civilization. For

while we need no books of our own upon astronomy, chemistry, physics, and mineralogy, we have to grope in the dark while studying our plants and animals until the most common ones become as familiar to us as the common animals of the fields in the old countries. The distinction which exists in the material basis of scientific culture in different parts of the world is first made evident by this work. By two happily chosen words Humboldt has presented at once the results of our knowledge in geology at the time, in a most remarkable manner. He speaks there of "independent formations." Who, before Humboldt, thought there were successive periods in the history of our globe which were independent one from the other? There was in the mind of geologists only a former and a present world. Those words expressing the thought, and expressing it in reference to the thing itself, for the first time occur in that memoir; thus putting an end to those views prevailing in geology, according to which the age of all the rocks upon the earth can be determined by the mineralogical character of the rocks appearing at the surface. The different geological levels at which rocks belonging to the same period have been deposited, but which have been disturbed by subsequent revolutions, he happily designated as "geological horizons."

It was about the time he was tracing these investigations that he made his attempt to determine the mean altitude of the continents above the sea. Thus far geographers and geologists had considered only the heights of mountain chains, and the elevation of the lower lands, while it was Humboldt who first made the distinction between mountain chains and table-lands. But the idea of estimating the average elevation of continents above the sea had not yet been entertained; and it was again Humboldt, who, from the data that he could command, determined it to be at the utmost 900 feet, assuming all irregularities to be brought to a uniform level. His Asiatic travels gave him additional data to consider these depressions and swellings of continents, when discussing the phenomena of the depression of the Caspian Sea, which he does in a most complete manner.

There is a fullness and richness of expression, and substantial power in his writing which is most remarkable, but which renders his style somewhat involved. He has aimed to present to others what nature presented to him—combinations interlocked in such a complicated way as hardly to be distinguishable, and his writings present something of the kind. You see his works, page after page, running into volumes without division into chapters or heads of any sort; and so conspicuous is that peculiarity of style in his composition, that I well remember hearing Arago turning to him, while speaking of composition, and saying, "Humboldt, you don't know how to write a book—you write without end, but that is not a book; it is a picture without frame." Such an expression of one scientific man to another, without giving offense, could only come

from a man so intimately associated as Arago was with Humboldt. And this leads me to a few additional remarks upon his character and social relations. Humboldt was born near the Court. He was brought up in connection with courtiers and men in high positions of life. He was no doubt imbued with the prejudices of his caste. He was a nobleman of high descent. And yet the friend of kings was a bosom friend of Arago, and he was the man who could, after his return from America, refuse the highest position at the Court of Berlin, that of the secretaryship of public instruction, preferring to live in a modest way in Paris, in the society of all those illustrious men who then made Paris the center of intellectual culture. It was there where he became one of that Société d'Arcueil, composed of all the great men of the day, to which the paper on "Isothermal Lines" was presented, and by which it was printed, as all papers presented to it were, for private distribution. But from his intimate relations to the Court of Prussia, some insinuations have been made as to the character of Humboldt. They are as unjust as they are severe in expression. He was never a flatterer of those in power. He has shown it by taking a prominent position, in 1848, at the head of those who accompanied the victims of the revolution of that year to their last place of rest. But while he expressed his independence in such a manner, he had the kindest feelings for all parties. He could not offend, even by an expression, those with whom he had been associated in early life; and I have no doubt that it is to that kindness of feeling we must ascribe his somewhat indiscriminate patronage of aspirants in science, as well as men who were truly devoted to its highest aims. He may be said to have been, especially in his latter years, the friend of every cultivated man, wishing to lose no opportunity to do all the good of which he was capable; for he had a degree of benevolence and generosity which was unbounded. I can well say that there is not a man engaged in scientific investigations in Europe who has not received at his hands marked tokens of his favor, and who is not under deep obligations to him. May I be permitted to tell a circumstance which is personal to me in that respect, and which shows what he was capable of doing while he was forbidden an opportunity of telling it. I was only twenty-four years of age when in Paris, whither I had gone with means given to me by a friend, but was at last about to resign my studies from want of ability to meet my expenses. Professor Mitscherlich was then on a visit to Paris, and I had seen him in the morning, when he had asked me what was the cause of my depressed feelings; and I told him that I had to go, for I had nothing left. The next morning, as I was seated at breakfast in front of the yard of the hotel where I lived, I saw the servant of Humboldt approach. He handed me a note, saying there was no answer, and disappeared. I opened the note, and I see it now before me as distinctly as if I held the paper in my hand. It said:

“My friend, I hear that you intend leaving Paris in consequence of some embarrassments. That shall not be. I wish you to remain here as long as the object for which you came is not accomplished. I inclose you a check for £50. It is a loan which you may repay when you can.”

Some years afterward, when I could have repaid him, I wrote, asking for the privilege of remaining forever in his debt, knowing that this request would be more consonant to his feelings than the recovery of the money, and I am now in his debt. What he has done for me I know he has done for many others—in silence and unknown to the world. I wish I could go on to state something more of his character, his conversational powers, etc., but I feel that I am not in a condition to speak of them. I would only say that his habits were very peculiar. He was an early riser, and yet he was seen at late hours in the saloons in different parts of Paris. From the year 1830 to 1848, while in Paris, he had been charged by the King of Prussia to send reports upon the condition of things there. He had before prepared for the King of Prussia a report on the political condition of the Spanish colonies in America, which no doubt had its influence afterward upon the recognition of the independence of those colonies. The importance of such reports to the government of Prussia may be inferred from a perusal of his political and statistical essays upon Mexico and Cuba. It is a circumstance worth noticing that above all great powers Prussia has more distinguished scientific and literary men among her diplomatists than any other State. And so was Humboldt actually a diplomatist in Paris; though he was placed in that position, not from choice, but in consequence of the benevolence of the King, who wanted to give him an opportunity of being in Paris as often and as long as he chose.

But from that time there were two men in him,—the diplomatist, living in the Hôtel des Princes, and the naturalist who roomed in the Rue de la Harpe, in a modest apartment in the second story, where his scientific friends had access to him every day before seven. After that he was frequently seen working in the library of the Institute until the time when the Grand Seigneur made his appearance at the court or in the salons of Paris.

The influence he has exerted upon the progress of science is incalculable. I need only allude to the fact that the “Cosmos,” bringing every branch of natural science down to the comprehension of every class of students, has been translated into the language of every civilized nation of the world, and gone through several editions. With him ends a great period in the history of science—a period to which Cuvier, Laplace, Arago, Gay-Lussac, Decandolle, and Robert Brown belonged, and of whom only one is still living—the venerable Biot.

MENTAL CULTURE FOR WOMAN.

Addresses delivered in New York, October 26, 1858, at a meeting called to devise means for the establishment of a Woman's Library: Mayor Tiemann presiding.

ADDRESS BY REV. HENRY WARD BEECHER.

I EXPECTED my friend Mr. Cuyler would be present to-night to make the introductory speech; and hoped, therefore, to have had a brief space to make some preparation, instead of being plunged in upon you, almost before I have got my breath. The presence of such an audience upon such an occasion is itself a cheering circumstance. We can not say that there is an apathetic condition of the public mind in respect to women, and especially in respect to the wants of working women, when a meeting in their behalf is so thronged that this capacious edifice is not able to contain the half of those who would fain come. And after all, this is the first thing, at least in every American community. Public attention is the prophecy of public reformation among us in all things which are reformable; and where the public mind is once directed to an evil, if it is proved to be real, and one which is within the reach of healing hands, we may be pretty sure, however much it may be obstructed, and however long a time it may require, that

that evil will be remedied. And I have great hope in respect to this matter. I believe that the minds of philanthropic men are being turned toward it; that a way will be found by which—though we can never free them from all the evils incident to their situation—we can materially help those in whose behalf we now appear.

There are two kinds of society, based upon two very different ideas of government. There is a kind of society in which the government, the superior people, undertake the care of society. There is another kind in which society is expected and educated to take care of itself. We are often told of the advantages of having strong men, wise men, rich men, to take care of the weak, the ignorant, and the poor; and doubtless this is better than nothing. It were better that the wise and the strong should be appointed, even in the way of law and institution, to a superiority which would enable them to take care of the masses—it is better, I say, even so, than that the masses should be utterly destroyed by ignorance and vice. But it were better still, if we could inspire the whole body of the people both with the desire and with the capacity of taking care of themselves. And this is that peculiar thing which we have undertaken in America, at least in the Northern part of it. We have undertaken, not so much to establish this or that particular theory of legislation, but we have recognized the inherent dignity, and worth, and divinity of the individual man; and we have undertaken to provide circumstances and stimulants by which every individual in the community shall be conserved and preserved principally by his own power. We have undertaken to make men not merely the governors of the State, but to prepare them for that, by making every man able and willing to govern himself; and he who governs himself is fit to govern a kingdom.

There are many temporary weaknesses incident to this work, for there are always the strong, and then the next strong, and then the middling, and then the far below. And while the whole of society

is struggling and working for its own deliverance, or its own elevation, there is apt to be in every man's taking care of himself, a relative forgetfulness of those lower down—the weak; and oftentimes they are trodden down in the hurry of progress; so that it belongs to that form and frame of society of which we have been speaking, that there should be in the beginning of these experiments some failures. I think it is impossible to educate a community at first with a pride developed in it of taking care of oneself, without developing a correlative contempt of those who can not take care of themselves. There is no place where going to the poor-house is so ignominious as in New England, where there are so few to go. It is there regarded as a sort of personal virtue to be able to take care of oneself, but on that very account poverty is the more hardly dealt with. I know not how it is now, but heretofore, in some New England towns, which are so strenuous for personal independence, so notable for many virtues which spring out of it, it has been the practice to put up the paupers at public auction, to see who will keep them for the least. Such treatment of the poor, grafted on all ennobling virtues on the side of personal independence and thrift, I take as one of the reactions of that form of society, producing a kind of contempt, hard-handedness, if not hard-heartedness toward those who are weak and have the misfortune to be poor. This is the very spirit of independence—this very ranking of men by what they are themselves, not by what their office makes them; for if a man is great by office, we have no lack of saints. (Laughter.) But our theory is not that a man is great by office, by public sentiment, by the crowning which men give him, but by the use which he makes of those things which God has given him. The greatness exists in the individual. This very public spirit in this direction inclines us very powerfully to look upon those who do not attain thrift, not with contempt exactly, but with pity or indifference. It is not a man's fault that he is born with slender endowments. It is not the fault of a sack

that it can not stand up when the wheat is taken out—it is not the nature of a sack to do so; and there be many men who never had any wheat put into them. (Laughter and applause.)

Now, it behooves those communities that are strongest in the top and middle, to be looking down to complete their civilization by taking care of the weak; according to the language of Scripture, "We, then, that are strong, ought to bear the infirmities of the weak, and not to please ourselves." It is the example of our Divine Teacher, who, though rich, for our sakes became poor, that we, through his poverty, might become rich. In every civilized community we should gauge the thoroughness of the Christian spirit by the degree of attention that is given to those who are too weak to take care of themselves.

To-night we are appealed to in behalf of those who are weak, not alone by absolute weakness, but who, with whatever strength endowed, are made weak by the regulations of society. A woman in her own sphere, and glorified by the fulfillment of it, a wife, a mother, and a companion, is the noblest thought that God ever chose to express on earth. But thrown out of that sphere, like an angel cast forth, woman is the most wretched thing that ever was expressed on earth this side of perdition. Corrupted, destroyed—is there anything worse? Uncorrupted, and standing high in her peerless virtue—is there anything nobler? Man is said to have been made "a little lower than the angels." Woman needs no such comparison: she was made full as high. (Applause.) And if it were so that in the progress of society every blossom had its fruit, and did not fall with its germ to the ground; if it were so that for every woman, and at the right time, there was an opening to companionship, and, through wedding, to the family state, I think we should have comparatively little to say upon many of the topics which now agitate the public mind. But in point of fact, hundreds and thousands, sometimes by their own fault, and sometimes without it, remain single. They are not answering the purpose for

which woman was created; they do not fill the sphere which was designed for them. They become, in their isolated condition, the supporters of themselves. They are thrown into society, and obliged to take care of themselves as best they may. You all know that the sphere of occupation for woman is truly narrow. The things a woman may do, and is taught to do well, and which are honorable and lucrative, are very few. We educate our sons to versatility. A boy is not a Yankee who is not capable of doing anything required by the circumstances into which he is thrown. He is handy because he is heady. We teach him to be versatile. We expect our boy to be able to shoe horses, if necessary, in a wilderness; to put on shingles or clapboards. We educate him to cobble shoes, to sell tape, to preach, to plead a cause, to prescribe as well as any other doctor; to be able to apply himself with pliant adaptation to any occupation if the chances of life require him to do so. On the sea and on the land, we lay the foundation not only of general intelligence and education, but there is that feeling in the public mind that a man must go down toward poverty as he would fall from the topmost bough of a tree, striking first on one branch, and then on another, and then on another, until he reaches the ground. He must not touch the bottom of poverty, until he has touched and clung to every twig and branch. But what do we educate a woman for? To be married! (Laughter.) That's the whole of it. To be sure, she is taught to knit, she is taught to sew. Thank Heaven, sewing is about done with! The needle is being superseded by the machine; and although in the transition there must needs be much suffering, yet I think the banishment of the sword from the earth will scarcely be a greater benefit than the banishment of the needle will be ultimately for woman. It has been more destructive than the sword or the dagger. We teach women to sew, housewifery accomplishments, and to take care of families that never dawn upon them oftentimes, and our wise men, with elongated faces of wisdom, tell us that woman was ordained

to be a wife and mother, and she must be educated for that; and that is as far as they go. They declare that this theory of Woman's Rights, this enlarging of the sphere of woman is unnatural, and against the decree and providence of God. The least I can say is, that all those men who refuse to give to woman a larger sphere, should combine and certainly give her a husband. If she is appointed for that state, let them secure that state for her, and if they will not do that, then, in God's name, let her have an opportunity to do something for herself, if she has to live alone.

I take the broad ground that a woman has the right to do anything that is becoming in a man to do; and many things that are now exclusively in man's hands, would be yet more becoming to woman. While we bring a certain ruggedness and power to our work, woman brings that power which lies in the moral nature, in high feeling, in noble affections, in a purity which is transcendently above that which usually belongs to man. We educate our boys to find a living, to hew it, to dig it, to steal it (for many and many a man is educated to politics). (Great applause and laughter.) But for woman there is the narrowest sphere; and in that narrow sphere which we permit her to occupy, in that small circle where we do give her an opportunity to achieve her own personal independence, unfortunately competition is fiercest, and she is necessarily most subject to the hard conditions and oppressive tyrannies of overseers and employers. A woman has not a fair chance in the industrial avocations of life. I do not care what theories of reform you propound. The reform I desire to see above every other one is this—that the strong among women should achieve success in just those things for which men say they are not fitted. Let success answer fault-finding. Become what you think you have a right to become, and then help others up to the same place, and when at last you have enough gathered in those places to form a cohort and a body of defense, open the doors and help others up until you are able to create a public sentiment.

Woman will have achieved her rights when she has taken them. When a woman has taken her rights into her own hands, he is a brave and bold man who will dispute them. In this city the number of women, the greatest part of them single women, employed in industrial and manufacturing pursuits, is incredible to me. I asked my friend Miss Pówell, whose enlightened philanthropy is at the root of this movement, how many working women she supposed there were in New York. I thought she might say eight or ten thousand, and I was prepared on that to make an appeal; but she informs me that there can not be less than eighty thousand women employed in this great city, directly and indirectly, connected with stores, manufactories, and various industrial callings. Why, my friends, here is enough to constitute of itself a large city. Think of it—some eighty thousand women in this city attempting to gain a livelihood by industrial occupations. This does not include those who often are the most favored—domestic servants—for on looking into the history of manufactories, and the condition of persons who are employed in book-binderies and medicine establishments, in the sewing manufactories, in the various grades of work, I have been led to think that, after all, domestic service is the kindest bondage in life. I would much rather have a child of mine, if obliged to earn a livelihood, go as a faithful domestic into a virtuous family, than take her chance in any city manufacturing establishment. She has always a home, is always warmed and well-fed, always has friends if faithful; whereas a woman who has only the chance of a manufactory is often shut out from home, oftentimes without warmth, without fuel, without light, without good raiment, without companionship, abused, cheated, fleeced, and abandoned after she is ruined. You never know what her fate is to be when she takes that course.

Now, it is not asked that we shall pursue any Quixotic enterprise, or do anything strange or unusual. The demands which are made at the present are very few, and eminently rational. It is

asked, in the first place, that such of these women as desire it, shall have the opportunity of reading and acquiring intelligence. Is that an unreasonable demand? How many of them can now find books at home, in their boarding-houses? If they do find them, they are just the books they should not find there. How many of them can find books provided for them in their places of labor? How many of them have access to families where books can be had? How many of them, if they read at all, are obliged to read those papers whose main support and principal staple is the fantastic, lofty, and sentimental style of stories that first injure, if, happily, at last, they do not corrupt the persons who read them; for I do not think persons can be fed on this stimulating food without final injury, any more than one can eat nothing but confections and be healthy.

Now, the first demand which is made in behalf of these working women is, that all those who manifest a desire for information shall have a chance to obtain it. Provide the material for them—good books, good papers, and good rooms of resort, and let them know that they will be welcome there. The next thing we demand is, that they shall have time to read; and this is a demand which comes right home to the employer. It is not right for a man to exact such toil from women, or men either, as shall make them merely creatures of toil, and shut out from their minds the light of divine information. While we are philanthropic in the case of the slave, while we are endeavoring to Christianize the Chinese, and are sending our cheap Gospel all over the earth, let us take care that we are not violating the very spirit and letter of it at home, when withholding the bread of life, and time to eat it, from those under our own eyes and in the reach of our own hands. In a Christian community it ought not to be said that it is possible for one hundred, one thousand, still less for fifty thousand women to stand up and say, “We have no place for resort; we can’t buy books, nor borrow them; we have no one to care for us; we are driven with work until fagged and wearied, and hope has gone out and life has

become a burden to us." How many have laid it down, how many lost it without laying it down, because the severity of their toil made it impossible for them to persevere. The strong can do anything, but, alas, the weak are obliged to ask leave of their weaknesses to live. It seems to me, then, Christian friends, for so I trust I may call you, the demands which are made in this present movement, while they are few and simple, are such as address themselves to the judgment and kind feelings of every Christian man and woman in this city.

Let me say a few words more in respect to this provision for reading. I received a note, I think, from the secretary of the "Mercantile Library Association," saying that women, who were clerks, had access, like gentlemen, to their library, but none others, except by the payment of a fee. All clerks, without respect to sex, are permitted to read there. There is, then, a small opening there, but there are very few women that could avail themselves of that opportunity. In the other libraries of the city, what chance has a woman, considering what are her hours of labor? We have a magnificent mausoleum of a library in the city, and if a man is wrapped up warm, and is able to stem the tide of face and front, he can gather great fruition of knowledge from it. I have once or twice gone through the stony hall and reached what I thought to be a still more stony reception, and caught cold in my enthusiasm. What chance would a woman have there—especially a poorly-clad woman—where the portals are not opened until hours after she is in her work-room, and where they are closed hours before she returns? Gas light is so dear that it can not be afforded there. It is the gilded library for gilded men, men whose pockets are golden, men who are able to do *without* Public Libraries. To the strong, everything is given; from the weak, everything is plucked away. The destruction of the poor is their poverty. I am not sufficiently acquainted with other libraries to be able to speak of them. Many of them are open in the evening, but are they opened with the ex-

pectation that they will be thronged with young women? Is there provision made for them, and is it of a kind to be attractive?

Now, you know very well, that where the head rules, the hand serves. The mass of men can only rise as the head rises. Intelligence makes men equal among the strong, and the want of intelligence will always make persons "hewers of wood and drawers of water." Women, if they would not be in subordinate and menial occupations, must have intelligence. If they were born so poor that their parents could not give them an education; if born under circumstances so unpropitious that they had no opportunities for gathering knowledge themselves, they should at least be permitted to overcome in later life the disadvantages of their earlier years. What provision is made for them? Do you know of any? Have the churches made any? I can speak for my own—we have made none. If there has been any considerable preparation by the churches of New York for the education of those among them who are the most appropriate subjects of their compassion, or who should be, I am not aware of it. Indeed, public attention has been but little drawn to this subject. At any rate, it has pleased God in this movement to act in this, as he has acted in hundreds of other movements, to touch the heart of one that has suffered, and who has gathered out of all her sufferings some degree of intelligence, and whose heart throbs for her kind. He has made her to be, if not Moses, yet a Miriam, to go before her people.

One word further, before I close. I feel great encouragement in this movement, because those who have been the largest employers of women in New York have manifested the most enlightened and philanthropic spirit. Sometimes we are met by vested interests. The spirit of selfishness, like a dragon, sits in the heart of a good man sometimes, and withstands all access of humanity; but now the principal employers, at least some of the largest employers of working women, have been foremost in this work; yea, even before any movement was thought of, they, in their humanity, had begun

to make provision for intelligence—to make their establishments in some sort an artificial family and household. This is right; and since some have begun to do it, I am emboldened to say, that I think it to be the duty of those who are living on the work of women to regard them, under God, as a part of their own household. They ought to know them, know their residence, know them when work abounds, and yet more to know them when work grows light and they are cast off. They ought to regard themselves as God's ministers, and these working girls whom they employ as their parishioners. I thank God that there are some who accept this calling; they are bishops in that blessed bishopric of the needle; and I am emboldened to say further, that it is practicable; not only so, but profitable; for whatever is right is profitable. It may not be profitable quite so soon, but the fruit that ripens earliest decays soonest. Right doing, though sometimes a little tardy in its remuneration, when it does bring forth bears abundantly; and I am persuaded that if an intelligent care and culture of working women shall prevail in this city, it will in the end repay a hundred-fold those who shall have made temporary sacrifices to inaugurate it.

As my friend Mr. Brady (who I know is by this time impatient to address you, and who is holding in his steed and zeal) is to follow me, I will not stand in the way of the pleasure which you may expect from him. (Applause.)

ADDRESS BY JAMES T. BRADY, ESQ.

THIS is the *first* time, ladies and gentlemen, that I have had the pleasure of hearing the very distinguished gentleman, whose remarks have just been brought to a close. He ventured to suggest that I was like some young horseman mounted upon a gallant steed waiting to take my place in the course with the hope of outstripping all competitors. He forgot how well mounted he had always been, and how successful in every arena of effort, and how cautiously any one should contend with him. (Applause.) This is the *second* time that, out of the limits and duties of my own profession, I have ventured publicly to raise my voice in behalf of Woman; and it is exceedingly probable (as I have not yet attained the honorable state to which my eloquent predecessor so happily referred) that, as on a former occasion, the motives by which I am impelled may be entirely misunderstood, if not entirely misrepresented. But, ladies and gentlemen, there are times when, whatever the world may think or say, he is not worthy the name of a man who does not employ his capacities to promote the welfare of that sex, not loving which, he is unworthy of the figure he bears, and dishonors the name and attributes of humanity. (Applause.)

The call of this meeting extends to a wide range of objects. It includes limiting the hours of labor for working women. That topic I shall leave in the hands of the intelligent and generous employers, several of whom have come forward this night and liberally subscribed from their means toward accomplishing the most praiseworthy purposes for which we are assembled; but with your permission, and briefly, I will speak of "the necessity," as it is called, "of intellectual culture in woman, and the development

of means for improving her condition." This question is before the world and must remain in, and be decided by, the world: Whether anything can be or should be done to assist and refine women who are poor, and whose destiny it is to labor? The subject has been agitated already by some of the most earnest and cultivated minds of Europe. The Imperial Academy of Lyons has offered, during the present year, a reward of 1,200 francs for a prize essay on the subject, among others, of equalizing the compensation for the labor of women and men, and devising the best method of opening new careers to women, procuring for them work, which shall replace those employments necessarily taken from them by the competition of men and the various changes of manners and customs. In England, where efforts in the cause of women are not so commonly derided as with us, the National Association for the Promotion of Social Science, inaugurated in October, 1857, is also engaged in considering the interesting questions of a similar nature. That association deserves something from the approbation and judgment of men. It is presided over by a great and excellent man who, at the age of more than threescore and ten, has just delivered one of the most brilliant addresses that ever fell from or adorned the lips of mortal, in deserved eulogy of the great instructor of mankind, Newton; I refer, of course, to Lord Brougham. (Applause.) In this country we are agitating, in reference to women, the subjects of suffrage, improvement in the means for their education, and their admission to new employments. Those who preceded me in this honorable field of struggle and achievement found their progress impeded by obstacles of a very serious nature, among which those which first present themselves are the apparently irremovable prejudices and habits of my sex, and sometimes the indiscreet and over-zealous efforts of those who would force upon society, before their time, radical changes which can only be accomplished by patient waiting, and by steadily appealing to the slowly progressive sense of right that will at last prevail among

men. It has been well said by the reverend gentleman who preceded me, that we are now recommending nothing utopian or revolutionary. We do not, as some presses suggest, on occasions like this, wish to disturb the relations between husband and wife, mother and child, brother and sister, or produce any justifiable tremulousness in the hearts of those who regard as most sacred the beautiful institutions of domestic life. No such object presents itself to our minds; no such object could find favor with you; nor do we, ladies and gentlemen, even in the desire to have a library established, seek to make provision for those prosperous women who, out of their own resources, or the means of relatives and friends which they are not ashamed to share, are provided with ways to enlarge their intellects and refine their understanding to any extent that their taste and application may permit. We devote ourselves chiefly, if not exclusively, to making similar provision for the operative women of this city. The result of our labors may extend farther, and incidentally inure to the benefit of other women who may have the ambition to be independent and do not wish to live upon the labor of others, or who feel stirring within them that spirit in a great degree repressed in woman by the laws and customs of society—the desire to make her deeds useful and her name honorable in the annals of her race.

Much is often said by skeptics, for so I must call them, about this problem, as they denominate it—about this hope, false as they declare it to be—of improving the merit of woman by the culture of her intellect. This often leads to discussions about the comparative mental capacities of men and women, which debates are very learned and eloquent, but never profitable. It can scarcely be wise to speculate upon the results in such a comparison until we have done that which has never yet been performed—until we have afforded woman an opportunity entirely equal to that of man to exhibit the uses and extent in which her capabilities may affect her elevation. When we look at the history of the Old World, we find

in Italy, during the period of the Republic, and in the eighteenth century, among the distinguished women who adorned that lovely land and that interesting era, four professors of learning and art in the Academy at Bologna, the names of two of whom suggest themselves to most of you, if not all—the one professor of Intellectual Philosophy, the other of Mathematics. The latter was not what some of our enemies call, in token of derision and hate, merely “a blue-stocking,” belonging to a class that is supposed to comprehend all the intellectual activity of woman. She possessed rare personal charms, was acknowledged to be the most beautiful woman of her time; and, living to the age of eighty, made the beauty of her features and the charming attractiveness of her person secondary to her moral qualities in the estimation of those who knew her history, by devoting all the leisure she could draw from her profound studies to works of charity, which has made her name blessed. If the women of that republic and that time could instruct learned men, who considered it a privilege to sit under their teaching, can it be possible that there is no sphere of elevated effort for those of our era, who live in an atmosphere full of intellectual activity, many of whom are panting and striving to take the equal position to which they deem themselves to be entitled? Let me mention a circumstance which, if not entirely known to all of you, should not be forgotten. There are few, if any of you, who have not lingered with delight over the master touches of Rosa Bonheur, the author of that superb picture, the “Horse Fair,” exhibited so long to thronging and delighted thousands in this city. The jury of the World’s Fair in 1853, appreciated the genius and skill of that eminent woman, and made a verdict in her favor which entitled her to the decoration of the Legion of Honor, but it has been refused to her under the enlightened government of France from that hour to this, *simply and exclusively because she is a woman*. (Cries of Shame, shame!) Our own country does not look at this brilliant achievement of Rosa Bonheur with discountenance or with envy.

We can boast of our Harriet Hosmer, the sculptor of that noble work, "Beatrice Cenci;" and if we are not content to witness the triumphs of our women here upon this theater for the display of genius, we may look with admiration on the resplendent talents of Maria Mitchell, who has been out journeying among the glories of heaven, discovering two comets there to illustrate and attest still further the majesty of God, and who for this has received two medals from foreign governments without yet obtaining one from her own.

I come nearer home. In Antioch College, Ohio, there are now three professorships filled by ladies—Miss Lucretia Crocker, devoting herself to mathematics; Miss A. S. Dean, to physical geography and other branches of instruction, and Miss E. Fry, to the French language and literature. In the New York Infirmary for Indigent Ladies the attending physicians are three women, whose names are too well known to require repetition, and who are as distinguished for their personal merits as for their intellectual attainments. It is for the pulpit and the press, more than any other department of society, to say whether it is not time, and whether it is not fit, that the largest encouragement should be given to our women, that these examples, now apparently so few, should become great in number, and their influence be extended all over the United States.

But I pass from individuals to the particular class whose special interests we have at this moment in charge—to those toiling women who, for a scanty reward, dispose of the best part of their mortal existence—the sewing and other operative females of this city. None of you—I beg pardon, few of you—are well acquainted with their condition. Some of them have homes humble yet comfortable, and may defy the approach of want. Others have aged parents or relatives, sometimes idle and dissolute brothers, sometimes drunken and worthless husbands, depending upon their unaided labors for support; and, in connection with what the reverend gentleman

(Mr. Beecher) has stated as to the number of persons employed at labor in the city of New York, I venture to say, upon authority which I can not for a moment doubt, that the number of women thrown out of employment at this moment, in this city, by reasons which unavoidably affect trade, is probably, at the least calculation, ten thousand. Now there is a class of men in the world from whom, if I should say to them that these women must live, I might look for an answer like that given when the same remark was made to the distinguished Talleyrand. "Women must live," said some one, speaking to him. "Live, live!" responded the cynic, "I do not see the necessity of that." That class of men, I am happy to say, is much smaller than those who sympathize with the beautiful idea of the Honorable Mrs. Norton, briefly but happily expressed, and which I will take the liberty to read to you. She asks, "What is the meaning of that sympathy with the heroic which shows itself in all classes on all occasions? Why does a blow struck on a sword drawn in behalf of the helpless seem to make a hero of a peasant and a warrior of a prince? Because the deep instinct of protection which lies in the human heart applauds as the noblest and most natural exercise of power the resolution to defend, whether it be home or country, the honor of woman or the safety of infancy or of age." Why, ladies, if I may for one moment address myself to you alone—no, I will say my fellow-men—one of the greatest boasts with which we flatter ourselves, or upon which we justly pride ourselves is, that American men are gallant; and intelligent foreigners do indeed ascribe to us this quality. It is said that we are especially attentive to woman, that to make her comfortable, to make her happy, to treat her on all occasions with marked politeness, is one of our prominent characteristics. Will you pardon me for saying that this praise is not entirely just? I do not mean to say that the marked civilities, the delicate consideration of American men toward the opposite sex do not deserve, as they seem to command, the applause of all intelligent and civilized beings on the earth.

But is not this with us, as with all mankind, frequently the dictate of enlightened selfishness? Do we bestow all these attentions upon that sex without the hope of return? Is not the benignant smile, the kindly greeting, the look of sympathy, the mysterious electricity which establishes communion between kindred souls—is not this, in a large degree, the encouragement for that beautiful devotion to women which we exhibit? And are we not stimulated (on which subject my reverend friend is a much better witness than I) by a desire to attain that state of happiness about which he knows so much and I nothing at all. (Laughter.) Courtesy and kindness to woman are, indeed, chivalric, but what is the true chivalry of manhood? Is it to attest what he can do for woman in the period of her prosperity? No. It is when in the period of her adversity, in her sickness, in her poverty, and in her sorrow, even when the world has pronounced against her a dreadful sentence of social outlawry, he accepts the challenge then given to his manliness, and steps from the common rank of his fellows, though this step may subject him to suspicion and censure, takes the fallen woman by the hand, raises her from the degradation to which she has been assigned, and restores her to humble comfort, if not indeed to happiness. (Applause.) What is our chivalry to the courage and heroism of those poor girls whom you may see at early morning in the tide that pours down through the principal thoroughfares to the crowded marts and haunts of business. With what heroism do they master the strongest instincts of their nature, overcome the passion for dress, love of admiration, the spirit of rivalry, and the hope of conquest which employ so much of the time and energies of the more prosperous among their sex, and this, too, amid the pinching throes of poverty. Not the spirited Hebrew maiden, when she stood upon the giddy turret, baffling and defying the ruffian Templar, more sacredly guarded her honor, than many a half-starved, sewing woman in the streets of New York. (Applause.) But this courage is not always sufficient to save these

girls from ruin; and the very class of men who would hurl her into destruction are those who scout at efforts like that of the present hour, and sneer and jeer at the men who say one word about improving the moral, social, and intellectual condition of women. I am one of those, ladies and gentlemen, who agree with the gifted man from whose lips, in this place, so much of eloquence, truth, and moral power have proceeded, to the delight, not less of his congregation than of the thousands who look upon Mr. Chapin as an honor to the country which can boast of his birth. (Great applause.) I dare step with unequal foot, as I know, in the path of that eminent man, and say something even in behalf of fallen women; for I do not believe it is written in the destiny of our race that even she who thus sins must necessarily have obliterated all the fine instincts and noble traits of humanity.

What becomes of these poor working women when they can no longer resist the temptations that press upon them and the allurements of their seducers? Ask the palaces of sin around you, which even now inclose within their walls thousands of unfortunates, many of whom have been driven by destitution to the life they lead. For them, some of the noble women of this city have made and are making benevolent exertions. The poor creatures are not wholly irretrievable, but they are dealt with by the community as if for them there was no hope. I believe, ladies and gentlemen, that a fallen woman often hides in her heart some relic nursling of her innocent youth, and when startled from her guilty slumber to realize the degradation of her present life, she trembles with apprehension lest that fledgling, now her comfort and consolation, should take wings to itself, quit its little resting-place, and soaring back to the holy land from which it came, leave her spirit dark and desolate forever. What can we do to rescue the poor working-girl from a fate like this? What should we not do, that is within the range of possibility, to attain a result so desirable?

One thing is practicable : It is the object of this meeting, to-night, through the bounty of liberal men, and the generous endeavors of kind women, to establish an institution which shall be not only a library, where instruction may be derived from excellent books, but have connected with it also a reading-room, to which women may resort without experience similar to that of our reverend friend, in the cheerless precincts of an existing institution, that they are associated for the time with Cheops, or some other entombed Egyptian (laughter), threading their way through dark, damp, dismal, labyrinthian passages, with the prospect of obtaining an Oriental rheumatism from which no human power might ever relieve them. (Renewed laughter and applause.) And not only do we advocate a reading-room, but also a system of instruction by which those girls who have the ambition to rise above the station in which they are temporarily found, may become—what? Clerks! Clerks? say the men—a woman a clerk? It so happens that Mr. Thompson, of one of the firms whose names lead the subscription for the establishment of this library, and who has given two hundred dollars to-night in behalf of the praiseworthy object, has at the head of a large branch of his establishment, in the position of book-keeper, or something equivalent, a woman!—yes, A WOMAN, whose services he would not exchange for those of many a favored individual who, stepping out of the ranks of Young America, might come to beautify and adorn the establishment.

Women have been made teachers; they can be made teachers, or to accomplish anything for which intellect and education are required. But what if they can not? Is it nothing to afford a poor girl the means of enlightening her mind, and elevating her character? Is it nothing to assist her in protecting herself from what has been referred to by our eloquent friend, as the corrupting influences of that cheap literature which teaches her false views of society, of life, of ambition, and of destiny? Is it nothing to

prepare her for the sphere of wife and mother, which the opponents of our cause profess to regard with such sacred and religious care? The great Napoleon once asked Madame Campan the question, or rather made to her a suggestion in this form: "The old systems of instruction," said he, "are worth nothing; what is wanting, in order that the youth of France may be well educated?" "MOTHERS!" replied she. "Here is a system of instruction in one word. Be it, then, your care to know how to train up mothers who, in turn, shall understand how to educate their children." If that were understood in this city, you would not have just been informed by the Grand Jury of your county that a very large majority of the inmates of the Penitentiary are boys and girls, and it probably would be a long time before a stripling, just approaching manhood, would suffer the sentence of death for having taken the life of an unoffending citizen in the streets.

But this, and every other similar reform, meets with opposition as in the times of old. A very eminent divine, quite renowned in history, whose name I need not mention, published, in 1553, a tract which he quaintly entitled, "Blast of a Trumpet against the Monstrous Regiment of Women." He has disciples at this hour; and plenty of men, other than his disciples, belong to a class who not only look at woman as hopelessly incapacitated to develop intellectual improvement, but regard all who labor as destined to obscurity. I thought that idea had gone out of the world. I knew that Plato had said that a good constitution ought not to reckon artisans among its citizens. Cicero, the enlightened and eloquent, declared that the workman should never rise to the heights of true wisdom. And the profound Aristotle informs us that those who devote themselves to the sphere of labor, live in a degraded existence in which virtue has no place. All that is changed now. One of the finest spectacles presented in this country—one as well calculated as any connected with practical life to

command the admiration of the world—is the dignity which associates itself with labor in this land.

I wish to present to you, in closing, one little example of what may be done by the efforts of philanthropists to improve the condition of the laboring classes, so long as the effort they make is rational and persistent. You remember when in 1847 a blighting famine fell upon Ireland; you can not have forgotten it, because in the moment of her distress, of her starvation, the mission of beneficence and of mercy came from this country to maintain the lives and raise the hopes of the miserable multitude there. The affliction fell with peculiar force upon the south of Ireland, but with its greatest injury upon families of the middle and lower conditions of life. This led to efforts of some enlightened ladies, and afterward of men uniting with them, to devise means for relieving the masses from this great distress. They introduced the sewing of muslin embroidery, the manufacture of which engaged at that time but a small number of persons; and the consequence has been, by adhering to the effort to keep up this branch of industry, that, strange as it would seem to some of you who have not investigated this subject, there are now two hundred thousand persons employed in that manufacture, the yearly wages of whom, in the aggregate, amount to £400,000. And this is something of which that country may now be proud, when—having rid herself of all delusive schemes for a political revolution never to be accomplished—she looks to moral means for the elevation of her people.

Ladies and Gentlemen—I have thus discursively presented some views connected with the subject which has brought us together; and as it would be quite inappropriate for a lawyer to present himself anywhere without papers, you can perceive the appropriateness of the exhibition which I now make. Although I have not been educated a politician, and can not avail myself of the compliment tendered me by my reverend predecessor, if, indeed, it were in-

tended for me—which I can not believe—yet I have learned, from watching the proceedings of public assemblies, that we are a people of *resolutions*, if not *resolution*; and whenever convened for business which requires unanimity of sentiment and concert of action, it is necessary that what we have to suggest should be put in some permanent form. I have taken the liberty to prepare resolutions, because it is not intended that the design of this night shall cease just here. It is to be prosecuted; it is to be *accomplished*; and at some future time you will undoubtedly be called upon to hear a report from the gentlemen whose names I shall have the honor to mention presently, when they may tell you how the good work progresses, assure you that it goes bravely on, or that under your kind auspices it has been perfected.

[At the conclusion of the foregoing address, Mr. BRADY offered the resolutions found on the following page.]

Mr. BRADY offered the following resolutions, which were adopted :

Resolved, That we earnestly recommend to the employers of workwomen to lessen the number of hours' labor required of them, to assist in preventing their wanting employment, and generally to aid in the improvement of their social condition.

Resolved, That in our opinion the poorer classes of females in this city, and especially the operatives, may be much aided in obtaining subsistence and securing elevation of character, by the establishment of an institution for females, combining, with a library and reading-rooms, a system of judicious instruction, by which women may be educated for honorable employments from which they are now excluded from want of such instruction.

Resolved, That the following gentlemen be appointed a Committee to consider and hereafter report at a public meeting, to be called by them, as to the best method of carrying into effect the object mentioned in the last resolution.

W. S. Thompson,

Wilson G. Hunt,

John N. Genin,

Hon. Henry Hilton,

Benj. H. Field,

The Hon. the Mayor, *ex-officio*.

Resolved, That the ladies, whose names are subjoined, be requested to act as a Committee in procuring subscriptions for the object above mentioned.

Mrs. Lyman Beecher, *Treasurer*,

Mrs. Theo. L. Cuyler,

Mrs. Mary Hastings,

Mrs. E. M. Powell.

THE PULPIT AND ROSTRUM.

ITALIAN INDEPENDENCE.

ADDRESSES BY

REV. JOS. P. THOMPSON, D.D.,	REV. HENRY WARD BEECHER,
REV. HENRY W. BELLOW, D.D.,	PROF. O. M. MITCHELL.

LETTERS FROM

PROF. BENJAMIN SILLIMAN,	HON. CHARLES SUMNER,
HON. G. S. HILLARD.	

The occasion on which these addresses and letters were given to the public was a meeting of sympathy with the toiling Italian patriots, held in the City Assembly Rooms, New York, February 17th, 1860.

It was an immense and enthusiastic gathering of influential citizens of New York and Brooklyn.

The President of the meeting was HON. JAMES W. BEEKMAN.

The Vice-Presidents were—

JOHN W. FRANCIS, M.D., LL.D.,
PROF. BENJ. SILLIMAN,
ISAAC FERRIS, D.D., LL.D.,
HON. HAMILTON FISH,
HON. GEO. FOLSOM,
HON. WM. F. HAVEMEYER,
REV. FRANCIS L. HAWKS, D.D.
REV. HENRY WARD BEECHER,
PROF. S. F. B. MORSE,
REV. JOSEPH P. THOMPSON, D.D.,
HON. JOHN A. DIX,
CHARLES KING, LL.D.,
HON. HIRAM KETCHAM
HON. AUGUST BELMONT,
H. B. SMITH, Esq.,
H. D. SEDGWICK, Esq.,
W. H. EVARTS, Esq.,

LIEUT.-GENERAL WINFIELD SCOTT,
REV. GEORGE POTTS, D.D.,
REV. SAMUEL OSGOOD, D.D.,
H. T. TUCKERMAN, Esq.,
WM. H. APPLETON, Esq.,
GEO. W. BLUNT, Esq.,
CHARLES BUTLER, Esq.,
W. ALLEN BUTLER, Esq.,
D. DUDLEY FIELD, Esq.,
MOSES H. GRINNELL, Esq.,
ROBERT B. MINTURN, Esq.,
WM. B. OGDEN, Esq.,
WATTS SHERMAN, Esq.,
G. F. SOUTER, Esq.,
PETER COOPER, Esq.,
N. W. ELLIOTT, Esq.,
EDWARD COOPER, Esq.

GEO. W. BLUNT, Esq., was chosen Secretary.

THE RESOLUTIONS.

The Rev. Jos. P. THOMPSON, D.D., then offered the following resolutions:

Whereas, during the months which have elapsed since the expulsion of the Austrians from Lombardy, the flight of the Dukes from Tuscany, Parma, and Modena, and the revolution in Romagna, the inhabitants of Central Italy, by their moderation, self-control, respect for social and civil rights, and wise administration of public affairs, have demonstrated their entire unanimity of purpose, and their ability to sustain a constitutional government upon the basis of independent nationality; and

Whereas, the governments of Great Britain and France have declared their recognition of the independence thus attained, and their determination not to permit the intervention of any foreign Power to force back upon the Italian people the dynasties and rulers which they have rejected; and

Whereas, a people who have so worthily achieved and maintained their national independence deserve that cordial recognition and sympathy for freedom by which the people of the United States—precluded from political interference in foreign affairs—are entitled to make their influence felt in the great family of nations; therefore,

Resolved, That, as American citizens, we recognize and affirm the right of the people of Central Italy to choose for themselves that form of government which seems to them the best fitted to promote their safety and happiness.

Resolved, That the armed intervention of a foreign Power, to prevent the people of any country from adopting whatever form of government they may prefer, should be regarded as a violation of the comity of nations, and that such intervention, from any quarter, in the affairs of Central Italy, should be promptly rebuked by the civilized world.

Resolved, That we hail with thankfulness the policy of non-intervention in Italian affairs so clearly laid down in the French pamphlet entitled "*Le Pape et le Congrès*," and the consistent and magnanimous declarations of the Emperor of the French in accordance with that policy.

Resolved, That the declaration of the Queen of Great Britain, in her speech at the opening of Parliament, against armed intervention by any foreign Power in Italian affairs, is worthy of the position and policy of England as a champion of civil and religious freedom and of national independence.

Resolved, That the heroic devotion of Victor Emanuel, King of Sardinia, to the cause of Italian nationality and independence, has won for him the admiration of the American people, and will give him a name among the benefactors of mankind.

Resolved, That ecclesiastical government in secular affairs is destructive alike of freedom of conscience, independence of thought, and purity of religion, and that the advocacy of such a government, in whatever quarter, should be disavowed by American citizens as contrary to the first principles of American freedom, to the experience of our national history, and the teachings and example of the fathers of the Revolution.

Resolved, That we tender to the people of Italy our warmest congratulations upon the measure of independence to which they have already attained, and the assurance of our sympathy and moral support, so long as they shall remain true to order, justice, and liberty.

REV. DR. THOMPSON'S SPEECH.

Dr. THOMPSON, after reading the resolutions, continued:—It is not my purpose, at this stage of the meeting, to offer a speech, although I have been requested by the Committee of Arrangements to address you on this occasion. I will only characterize the resolutions before you pass on them as an assembly. Each resolution, with studious care, embodies a single fact or principle. (The Rev. Henry Ward Beecher entering at this stage, was greeted with loud applause.) Sir (said Mr. Thompson, continuing), I shall only speak long enough to give Mr. Beecher time to rest and breathe. Let me proceed, then, to characterize the points embodied in these resolutions. The *first* concentrates our thoughts upon this one fact, that we recognize and affirm the right of the people of Central Italy to choose for themselves that form of government which seems to them best adapted to promote their safety and happiness. We do not insist that that government shall be republican; we do not call upon them to adopt our form of government; all that we affirm is this;—that if the people of Central Italy prefer the wise, patriotic, constitutional, beneficent, progressive government of Sardinia to a government of dukes, who fleece them in time of peace, and run away from them in time of trouble (laughter), or to that “paternal” government which taxes them to the bottom of their pockets, and then takes the money thus filched from them to hire Swiss mercenaries to butcher their wives and children—if the people of Central Italy prefer Sardinia to such governments, they have a right to their choice. Every one who in any sense believes in the right of a people to be fairly represented in and by the government under which they live, will respond to that resolution. The principle of the *second* resolution is simply the broad principle that armed intervention from without in the political concerns of any nation is a violation of the comity of nations. I need not stay to argue that to admit the right of such intervention would be to go back from this era of civilization to an age of buccaneers, and to concede the right to the strongest. The civilized world would be upturned from its foundation, if the right of interference by force in the domestic affairs of any people should be recognized among nations. I am happy to find that I have been anticipated in these remarks by the able letter of the

Hon. Mr. Dix. Non-intervention in the internal government of another country is a principle in the comity of nations which we are bound to respect ourselves, and to insist upon before all the world. The *third* resolution simply brings into prominence the declaration of that principle on the part of France. I have here an original copy of the famous pamphlet, *Le Pape et le Congrès*, which was more than a second Solferino to Austria. I will read but three or four lines from it:—"The domination of Austria in Italy is ended. Our principles require us to leave Italy to herself, and to respect the sovereignty that we ourselves have restored to her. Our honor forbids us to concede to Austria the right of armed intervention, which we do not claim for ourselves; therefore France will not intervene to re-establish the temporal authority of the Pope, and she can not permit Austria to have recourse to force to subject this people, when she repudiates its employment herself."

A GENTLEMAN in the audience inquired from what the speaker was reading.

Dr. THOMPSON—I was reading from the original pamphlet, *Le Pape et le Congrès*—and it is doubtless at least semi-official. We have seen that the course of the French Emperor [continued the speaker], since the publication of this pamphlet, has been in strict accordance with the principles there laid down. I am no eulogist of Napoleon. I have not forgotten the manner in which he ascended the throne. I witnessed the inauguration of the Emperor of France, when he entered Paris at the head of 80,000 men, and on the same night I heard from muffled voices, in a muffled chamber, the "Marsellaise Hymn" from hearts that were still beating for the freedom which they supposed France had lost. I saw at Rome the marks of the bombarding of his cannon, and I heard there also the sighs of patriots who scarcely dared to breathe their murmurs. But, sir, while I can not forget the iniquities of the past, I would not, because of these, withhold honor for present deeds. The Emperor Napoleon, since the close of the war, though for a time he seemed to disappoint public expectation, and to depart from his own programme, is carrying out that programme even more effectively than by force of arms. Let us give praise for what is good, and hope for still better in the future. The *next* resolution (I pass over them very rapidly) simply calls attention to the dec-

laration of the Queen of Great Britain, which the audience doubtless have read. Her Majesty said, on the opening of Parliament, "I accepted the invitation, but at the same time I made known that, in such a Congress, I should steadfastly maintain the principle that no external force should be employed to impose upon the people of Italy any particular government or constitution." Again, in looking forward to the future, this important declaration is repeated: "Circumstances have arisen which have led to a postponement of the Congress, without any day having been fixed for its meeting; but whether in Congress or in separate negotiation, I shall endeavor to obtain for the people of Italy freedom from foreign interference by force of arms in their internal concerns; and I trust that the affairs of the Italian Peninsula may be peacefully and satisfactorily settled." The heart of the English *people* speaks through these words of their illustrious sovereign. Perhaps the gentleman who vented a little feeling of dissatisfaction a while ago might learn a lesson of politeness from the Emperor Napoleon, if he would look at the last number of *Punch*. There is a picture there of this private understanding between her Majesty the Queen of Great Britain and the Emperor Napoleon. It is a *tête-à-tête* dinner, got up in *Punch's* most exquisite style. Italy is served up on a little round table; upon one side stands a figure of Britannia, and directly behind this is Lord Russell, in a quiet, chuckling attitude, and upon the other side stands the Emperor of the French, with great dignity and good grace, saying to Britannia on the opposite side of the table, "I think we have waited long enough for the others who were invited to the Congress; perhaps we had better begin." And that beginning has settled the whole question. The *fifth* resolution is one which I am sure will command the unanimous enthusiasm of the American people—the really heroic devotion of Victor Emanuel, King of Sardinia, to the cause of Italian independence. Faithful to the constitution granted in 1848, faithful to the historical and national associations of the Italian people, a true soldier, a just king, he has proved himself worthy to lead the Italians in the way of freedom, enterprise, and order. The *sixth* resolution calls attention to the great principle that ecclesiastical government in secular affairs is destructive of freedom of conscience, independence of thought, and the purity of religion. That really needs no argument. But the recent allocution of the

Pope furnishes the fittest argument with reference to this resolution. He expresses his anguish at the danger of souls in his troubled provinces, where pestilential writings affect the purity of morals. What are these pestilential writings? The sacred Scriptures in a language that the people can read, and newspapers, pamphlets, and books—this pamphlet, for example—and other matters about which the people are disposed to inquire. He desires to recover the Romagna, in order that he may exterminate from it these pestilential writings. Mark that! He would regain political control that he may oppress conscience and dictate to men their very thoughts. The moment ecclesiastical authority should be reinstated, then the press would go down, and freedom of thought would be stifled, and freedom of conscience so far as possible prohibited. This is the uniform history of ecclesiastical domination in secular affairs. The resolution further calls attention to the fact that any avowal of a preference for ecclesiastical government in secular affairs should be disowned and repudiated by American citizens as contrary to the first principles of our freedom. When the original draft of the Virginia Declaration of Rights was under discussion, Mr. Mason reported that all men should enjoy the fullest toleration in matters of religion. James Madison arose and said, "*Toleration* is not the word," and moved to amend, "that all men are equally *entitled* to the free and full exercise of religion," and, in the language of one of the most vigorous writers of the period of the Revolution (I have never seen thought better condensed than in those words), "*Toleration* is not the opposite of intolerance, but the counterfeit of it. Both are despotisms—the one assumes to itself the right of withholding liberty of conscience, the other of *granting* it." We want neither. We claim the right of conscience for each and every man in all matters of faith, and the moment you intermingle ecclesiastical government with civil affairs, whether it be by Puritan, Prelate, Presbyterian, or Pope, you at once trample conscience in the dust, you at once bind thought in a prison-house, you at once defile religion itself. We are not here to-night, as you have so happily said, sir, to cast any reflection upon any man's religion. I respect and contend for the right of any man to honor the Pope, if he sees fit, as the head of his religious faith; and should the Pope himself come hither as an exile, we should all say, Protect his gray hairs from insult, even if we have to call out the Seventh Regiment to

do it. No Catholic priest shall be insulted for his faith in this land. No Roman Catholic shall have his conscience infringed upon here by law. But, sir, when a man calling himself an American citizen gives his allegiance to some temporal power outside of this country, then, if there is such a crime, that is constructive treason. I speak deliberately. I draw the line sharply between homage to the Pope as the head of an *ecclesiastical* organization—even though he be at the same time a secular prince—and homage to him as a *sovereign*, in civil as well as ecclesiastical affairs, claiming an oath of fealty to himself above and beyond the claims of all governments and states. To give *that* allegiance to a foreign potentate is the very spirit of treason, which needs but the favoring opportunity to break forth into the act. I know that the sentiment of American citizens would disavow any effort to ecclesiastical dictation in secular affairs. I close now, sir, with a single word in reference to the *last* resolution. The people of Italy have proved themselves worthy of our confidence, sympathy, and support, since the sudden peace at Solferino. Most gladly would we include in these congratulations unhappy Venice. I have here a letter from Venice, which will show you, I am sure, that the spirit of Venice is not yet crushed under the iron heel of Austria. I will read a few lines that will demonstrate that fact. Venice can get no Italian to represent the Austrian government. No one is found willing, for the sake of Austria, to expose himself to the vengeance of Austria. The theaters are deserted. Why? Because the Austrians go there, and there is a kind of conspiracy to prevent all pleasure, because the Austrians go to them. The ladies walk out in mourning, because the Austrians hold their city, and the Austrian troops are frowned upon everywhere. My friend says that when two Venetians are walking through the streets with cigars, and they see an Austrian officer coming, one will take out a cigar and say, "*Occone un altro Solferino*"—literally, "There is need of another match." But the play on the word for the ear of the Austrian is, "We need another Solferino." The day will come when Venice will cause her claims to be known and respected by the civilized world as a member of the Italian confederation of freedom. There are elements let loose which no physical power can bind. There are forces at work that are mightier than armies. Truth is liberated, Thought is enfranchised, Conscience has assert-

ed its autonomy; and neither bayonets, nor dungeons, nor gibbets can destroy these vital and ever-vitalizing powers. With a free Lombardy, Venetia can not remain enslaved. With a free Tuscany, the Papal States and Naples must feel the light and air of liberty. In the noble words of Mrs. Browning, written even amid the disasters of 1848—

“Oh! never say ‘No more’
To Italy’s life! Her memories, undismayed,
Still argue Evermore. Her graves implore
Her future to be strong, and not afraid;
Her very statues send their looks BEFORE.”

The following letters were then read:

FROM BENJAMIN SILLIMAN.

NEW HAVEN, *Feb. 13, 1860.*

I should be happy to attend, on the 17th instant, the meeting of sympathy with the Italian cause, to which you have done me the honor to invite me; but personal and domestic reasons, I regret to say, compel me to decline.

If, however, the opinions and wishes of a retired individual are of any importance, I am happy to add that the Italian cause, in its present aspect, appears to me the most important and interesting of all the national conflicts, whether of opinion or of arms, that now engross the attention of Europe.

Italy, the land of physical grandeur and beauty—the native land of talent, taste, and art—the land of early light in both literature and science—the land in which the love of civil and religious liberty has never expired, and in whose cause the best blood of her patriots has been freely shed in many a stern conflict with foreign and domestic despotism.

Italy, whose noble sons, armed in firm array, now stand ready to do battle for freedom and future security. Italy, whose enlightened and intrepid navigator solved the great problem of a new world beyond the ocean! Italy, whose classic poetry charmed our early years, and whose attractions, still rich and delightful, have equally charmed our sober evening of life, as we have roamed through the Peninsula—from the glaciers of the Alps to the fires of Vesuvius and Etna. This illustrious Italy, by the favor of God and by the aid of allies, wise in counsel and valiant in action, has already risen from the dust and ruins of ages, and is now robing her beautiful form in the grateful vestments of liberty and glory, to be worn, as we trust, for ages yet to come.

Every true-hearted American bids her God-speed, and such is the fervent wish, now cheered and sustained by hope, of Italy’s sincere friend and admirer,

BENJAMIN SILLIMAN.

FROM THE HON. CHARLES SUMNER.

SENATE CHAMBER, *Feb. 16, 1860.*

GENTLEMEN: You have done me no more than justice when you suppose that my sympathies are with Italy in her present noble struggle. If I do not attend the meeting at New York, according to the invitation with which I have been honored, it is because other duties here keep me away.

To the cause of human freedom everywhere I am bound by all ties, whether of

feeling or principle. To Italy, also—venerable, yet ever young, with that fatal gift of beauty which from all time she has worn—I confess a sentiment of love and reverence; I am sorrowful in her sorrow and happy in her happiness.

Surely by her past history, and all that Italy has done for human improvement, we are her debtors. Without Italian genius, what now would be modern civilization? There is no art or science, or activity or grace, in which she has not excelled and led the way. If I went into details, I must mention not only sculpture, painting, engraving, and music, but also astronomy, navigation, book-keeping, and jurisprudence; and I must present an array of great names, such as no other country can boast. And to all these I must add the practical discoveries of the marine compass, the barometer, the telescope applied to astronomy, and the pendulum as a measurer of time.

To the political skeptics and infidels, who affect to doubt the capacity for freedom of this illustrious people, I would say that Italy, in modern times, was the earliest home of political science, and the earliest author of some of those political truths which have since passed into principles. Besides, divided into separate sovereign states, with separate systems of legislation, her condition is coincident with our own to the extent of possessing those local facilities for self-government which are our boast. And then there is the spirit of her sons, as shown in recent efforts, giving assurance of courage, and of that rarer wisdom which knows how to guide and temper courage, both of which shone so conspicuous in the Venetian Manin, worthy compeer of our own Washington.

Allow me to add that I confidently look to the day when we may welcome into the fellowship of nations a community, new in external form, but old in its constituent parts—separate in local governments, but bound in federal union—with one national flag, one national coin, and one national principle, giving to all the strength of unity, *E Pluribus Unum*—and constituting the United States of Italy. And may God speed this good time.

Accept the assurance of the respect with which I have the honor to be, gentlemen, faithfully yours,

CHARLES SUMNER.

FROM J. S. HILLARD.

BOSTON, Feb. 14, 1860.

GENTLEMEN: I have received an invitation from you to attend a meeting of the friends of Italy, to be held in New York on the 17th inst. You do me but justice when you express a confident hope that my "sympathies lean toward your side." They do, indeed, and I have only to express the regret which I feel that my engagements here will not permit me to be present at your meeting. I shall be with you in spirit. Italy is to me a name fragrant with beautiful recollections. I recall the time I spent there as one recalls by day a strain of music heard in the watches of the night. How many hours of toil have been refreshed—how many hours of pain have been soothed—by the lovely pictures I brought away from your country! For the last twelve years I have watched with an interest second only to your own, her eventful history. It is not merely the partial feeling of a friend, but the calm judgment of a disinterested observer, which affirms that the conduct and attitude of the Italian people, since the peace of Villafranca, deserve, and have won, the admiring sympathy of the friends of freedom all over the world. The people of Italy have shown themselves worthy of the blood that flows in their veins. And they have shown this by the display of rare qualities, such as more than any others try the frame and soul of man. For in this life, nothing is harder than to wait. Even to act bravely is a less noble function of the soul than to endure calmly. The martyr's

palm is a higher crown than the hero's laurel. And this patient continuance—this silent strength—this serene fortitude—is all the more admirable because there is in it no alloy of apathy or insensibility. The Italians are a sensitive, finely organized people, quickly responsive to the touch alike of pleasure or pain; patience seems not with them a quality indigenous to the soil; and thus the more merit is theirs for having so successfully cultivated it. In them the law in the members has been subdued by the law in the mind. They have taken counsel of their reason, and not of their impetuous blood. They have ruled their own spirit, and theirs is a spirit not easily ruled.

And this attitude of the Italian people has wrought its legitimate results. It has secured for them a large measure of sympathy and respect. And more than this; it has led wise and grave men—men not under the control of their emotions and their sensibilities—to the conclusion that a people who have shown so much patience and self-control are worthy of being taken out of political leading strings and allowed to walk alone.

I spent most of the last summer in England. The English, as you know, are a generous people, but not very excitable or enthusiastic; their sympathies are not moved by a slight touch; but among all those whom it was my fortune to meet, young and old, liberal and courteous, I found but one feeling of interest in the Italian cause, and of respect and admiration for the conduct and people of Italy; and should there be any attempt to force upon them a form of government distasteful to them, I am sure that all England would ring from side to side with a voice of indignant remonstrance. The heart of humanity is on your side of Italy; and its primal affections fight in her behalf, as the stars in their course fought against Sisera. This aggregated and accumulated sympathy, to which every generous heart in Christendom contributed a share, is not indeed immaterial force, but it is a power which those who wield the material forces of the world are compelled to respect. It is an invisible, a spiritual power; but it penetrates to the council chambers of tyranny; it hangs with paralyzing weight upon the arm of the hireling soldiers; it animates the freeman's heart and braces his frame; no ruler is so strong in material resources as to be beyond its reach; every advance in civilization gives it fresh influence. I am not disposed to over-estimate the importance of such meetings as that which you propose to hold, but Italy is fairly entitled to a word of sympathy from this great country, which, in common with all the civilized world, owes so much to her. Shall not we, who were born free, stretch out a hand of fellowship to those who have shown themselves ready to purchase their freedom with a great price? They have nothing more to do than to persevere in the firm and heroic attitude they have thus far maintained. To me, who am not of an over-sanguine mood, the future of Italy seems full of hope; but, be this as it may, her past can not be taken from her. Her conduct during the last year has added to the world's historical wealth, and enlarged the debt we already owed to her. Every native of Italy has fresh cause to be proud of the land of his birth, and we who love her, though not children of her soil, have reason to be grateful to her for having justified our confidence and responded to our hopes. Yours in sincere sympathy and warm interest,

J. S. HILLARD.

DR. BELLOWS' SPEECH.

MR. PRESIDENT—I suppose nobody would pretend that the cause of liberty in England had made *formal* progress in our day, or that the struggles for free institutions anywhere had with-

in our generation been attended with encouraging success. Some of us recollect the excited sympathies of the country, inflamed by the generous-hearted Henry Clay, with the South American republics; still more with the hopes of Greece, awakened from her long and beautiful, but deadly slumber; later still, the enthusiastic but short-lived interest aroused in the cause of Hungarian liberty by the poet-prophet statesman—his tongue a sword, dripping now with honey, now with blood—the faithful, patient, incorruptible Kossuth; and, last of all, the universal gladness and hope that swelled up to welcome the French Republic with “Liberty, Equality, Fraternity,” for its glorious tricolor. Alas! the South American republics and Mexico seem to be rather providential scourges of the political pride of the Western Hemisphere, offsets and counterbalances of American free institutions, than anything else—caricatures and parodies of our Northern American States. Greece, with little thanks to her government, seems now just beginning, with her commerce and her public schools, to be justifying tardily our hopes, and to convert Byron’s pathetic line,

“’Tis Greece, but living Greece no more,”

into a less accurate description of that transcendently interesting land.

Hungary, with her heroes banished to every quarter of the world, still lies buried beneath Austrian taxes and regiments. And France, on whose republican soil I stood in ’49, is, in ’60, under an essential autocrat, with the liberty of the press denied, and the mouths of her best patriots sealed in a banishment they are too proud to be relieved of.

I am not insensible to the talents, and would not deny the chivalrous courage and generous instincts of Louis Napoleon; but neither can I forget his treachery to his oaths, and his evident dynastic ambition, maintained at every expense to the liberties of France. I admire his governmental powers, his firm will, his amazing sagacity, and acknowledge his vast success. But success is not honor; genius is not worth; and Louis Napoleon’s real repute among honest men in our day is well signified by the Roman pasquinade which exhibits an Italian rubbing a Napoleon between his fingers, and exclaiming, “It is very difficult to decide whether this be a genuine or a counterfeit coin.”

Meanwhile, almost every constitution wrested by popular insurrection from the hands of the petty principalities in Europe has been recalled by military despotism, backed by a conspiracy of the greater powers to repel the instincts of popular liberty.

During this generation, our own land, as a free country, has lost name and moral influence in Europe, by the nature of our own political strifes and social difficulties. The occasional mob law in our new States, and not uncommonly in all our great cities; the bloody conflicts of our Legislature, and the terrible vulgarity of our Congressional arena; the insecurity of life and limb; the suppression of free speech in public debate; the materialism and recklessness of our national character, all have lessened our *moral* prestige in Europe, and made neither our example as contagious, nor our sympathy as inspiring as they once were.

Indeed, there is a new reason for meeting to express our sympathy with the efforts for foreign liberty, since it has become so dangerous to express it for liberty at home; and if that sacred torch burns fitfully and luridly on its supposed native soil, we may well meet to congratulate each other at any appearance of its rekindling upon the old altars it once warmed.

Still, spite of appearances, whether at home or abroad, we are not to believe that the essential cause of liberty has gone backward in the last generation. Only, that cause, as the most sacred and precious of all others to humanity, has shown itself to be a more difficult one to maintain—a cause presupposing greater sacrifices, a higher and purer wisdom, a longer and more serious training than we had thought. The despotic powers of all governments represent rather grim necessities than voluntary tyrannies. They incarnate the stolidity, sensuality, and obduracy of the popular character, or its enervation and levity. As men make the idols they worship, so they make the tyrants they serve, so they require the pomp and splendor that they shiver and starve to maintain, so they call for the bayonets and sabers they carry, the fortresses and citadels they man, to keep themselves in order. It is not that Liberty is less precious or less practicable, but only more costly and laborious. It is not a shanty to be thrown up in a night, but a temple to be reared by successive generations. The price of liberty is not only eternal vigilance, but it is also eternal labor and sacrifice. It is by the want of this conviction that our own institutions and govern-

ment are endangered. Many of our people think that a Union like ours is a thing to be extemporized, a state of free society such as we enjoy, like Dogberry's reading and writing, is a possession that comes by nature! But, on the contrary, we find that only by a painstaking preference of the good, and endurance of the evil; a steady willingness to bear the ills we have, rather than fly to others that we know not of; a patient vindication of our political principles in constitutional ways, and with a conscientious attention to the principle which forbids us to do evil that good may come, can we hope to maintain and improve our great inheritance, and build an example and a character that shall truly animate and instruct Europe and the world.

It is because Italy is showing in that that she appreciates the cost of liberty, and is willing to pay its price, that we are disposed to meet and encourage her with the thoughtful sympathy of American hearts. Never had a nation greater difficulties to surmount. The mistress of the world, as she so long was, her very memories have oppressed her with their greatness, and seemed to make anything short of her old position, now hopeless, an uninviting one. People that feed on the fatness of a glorious past have less appetite for an active and earnest present; people that have supplied the law, the literature, and the art of the world can not easily be stimulated with the prospect of merely recovering their own economic and political rights. The very greatness of the ecclesiastical interests which Rome has represented has made Italy the conscript of Christendom, her real interests being steadily sacrificed to the interests of her wide-spread constituents, while her geographical and political position has subjected her to a dismemberment, an internal jealousy and want of unity, which make her present hopeful condition hardly less than a miracle.

It is hardly less than supernatural that under these circumstances Italy should offer better hopes of liberty than any of the disfranchised nationalities of Europe. Where shall we look for a people at this moment so truly in sympathy with the American and the English models of liberty, as the Piedmontese? Their interest in popular education; their jealousy of priestly domination; their efforts to establish manufactures and promote commerce; their legislative debates, free press, and earnest aspirations; their love of law and order; their willingness to suffer in the cause of liberty

and union, all indicate a self-governing power not yet elsewhere equally exhibited among the struggling nationalities of Europe. And it is certain that their example is most contagious and inspiring to the rest of Italy. Tuscany has exhibited the most extraordinary devotion to Italy—the willingness to sacrifice her predilections to the general good, and to give up her code-Napoleon, to which she would so gladly have returned, to a more strictly national system. We all know how prudently the Duchies have behaved, and how resolutely the Romagna is breasting the natural but impotent rage of the Pope. That Italy should show herself superior to her own internal divisions and jealousies, superior to the fascination of Napoleon's dynastic plans and ambitions there; superior to her dreams of the past, and her sicklied inertia from old recollections of pride and power, is evidence of her right to freedom, and of our duty to extend to her a grave and solid sympathy.

This is no question of Protestantism against Catholicism. It is not against the spiritual prestige of the Pope, and not against the Catholic Church, that liberty is waging war; but against the attempt of Catholicism to put down Protestantism by any other than spiritual weapons. We would just as soon unite in an expression of sympathy with Catholics in Sweden oppressed by Protestant fanaticism, as with Protestants in Italy oppressed by Catholic power. Religion must go out of the arena of politics, if she expects to appear therein any other than her peacemaking and spiritual character. Clothed in mail, we can treat her with no respect, either in her Protestant or Catholic uniform. We warn her off the Italian premises, not because she is Catholic, but because she is not purely spiritual, and does not confine herself to her divine and legitimate business. Far be it from me to speak disrespectfully, either of the Catholic religion, or any other religion sincerely revered among men. I could not do it of the Mohammedan or the Brahminic religions, much less of any Christian faith. To add one grain to the load of ignominy with which popular prejudices visit the vices which belonged to the ages through which Catholicism came, rather than to Catholicism itself, would be a meanness I am not capable of. But if religion is a sacred name, it is not more sacred than the name of Man; and when its machinery encumbers and smothers the aspirations and rights of freedom and humanity, it is in the name of Religion and of Christianity that we cast it off.

At a time, then, when the only public expression that has gone forth from this country has been the letter of the Roman Catholic prelates, in natural and honest sympathy with the Pope's temporal character and sovereignty, it is certainly fit that we should announce our sympathy with those who resist that chief impediment to the unity and the liberation of Italy.

It is true the Italian boot, like many others, has a very poor toe—quite worn out, indeed, in that region—but it pinches at this moment chiefly at the calf of the leg. It is not surprising, perhaps, that, like other boots, it should be soundest at the top. But it is singular, at this moment, on looking at the map, to see how the geographical position of Italy, France, and England indicates their relation to each other. France furnishes the body, of which little England supplies the head, and Italy the leg and foot. One can only regret that the foot is not turned the other way, and that, animated by French power and English will, it should not oust Austria and tyranny out of Italy, Hungary, and Poland, and make an end of the Italian question in all its vast correlations.

ADDRESS BY REV. HENRY WARD BEECHER.

The coming together of such a meeting as this is characteristic of the age in which we live. This is a spontaneous gathering of free citizens, met to declare their sympathy with the struggling people of another continent, of a different lineage, and of a different language. But as love makes all languages one, so is it with liberty. New York is the metropolis of this land, and you are the tongue of New York; and your speech, to-night, is the voice of one continent speaking to another. In the days when the world was unacquainted with itself, when languages and customs were separating walls higher than the heavens, when jealousy and local selfishness were part, almost, of men's very religion, there could have been no such generous sympathy as that which now prevails in modern times, between nations possessing, and nations striving for, civil liberty.

And surely, of all people under the sun, we have a right to speak of the blessings of liberty. It is our birthright. It is not a thing lately achieved, and immature in its results. It was that spirit which evoked our fathers from their native land, which guided

them hither, which brooded over all their deliberations ; and in its name, and through its wisdom, was every foundation laid, and each superstructure reared. And we are a people who, from generation to generation, have been brought up with the freest exercise of thought, of speech, and of conduct. Our testimony, then, is not that of new-made converts. It is not the enthusiasm of a sudden zealotry. We are speaking of the elements of our own life—of the things that are to us like sunshine, and air, and rain, and the very seasons with their abundance. We know what it is worth. We know that it is the very atmosphere in which men are reared, and that it is indispensable to the full development of a common manhood in any community ; and a curse would be on us if, being blessed above all other people, we should fail to bear a testimony before the world. The first impulse of every generous soul who has received a blessing is to ask for a companion to share it. If a man were starving, he could scarcely eat his crust without a thought of dividing it. Shall we sit down in this half of the world, basely content to be supremely blessed ourselves, and have no thought, or care, or earnest longing, that our brethren of every language and every nationality shall be made participators with us in this greatest earthly bounty of God—regulated civil liberty ?

And although, to-night, we are confined seemingly by these walls, and although thousands of leagues of oceans separate us from Italy, yet, in fact, we are speaking in their very ear. These words of mine, and your generous responses, shall not die to silence on these shores, and the noise of all the storms upon the sea shall not hinder it. My words shall be translated, and your words, sir, and shall be read by thousands in cities, in villages, and in the Vatican itself. And therefore it behooves us to send them, to-night, a message of cheer and of God-inspired enthusiasm. Let us say to them that their aspirations for liberty are religiously right, and that their expectations of blessings from it are reasonable. For more than two hundred years we have had the amplest experience of civil liberty, and we were never so much in love with it as we are to-day. It is the root of our manhood, and the spring of our intelligence. To be sure, we are yet vexed with many evils. The flame does not burn clearly. The offering smokes upon the altar with imperfect burning. For tyranny is a demon, and will not easily be cast out. It infects the human heart itself, and tempts all men to

be personally overbearing. It tempts religious societies to assume undue authority ; it tempts civil parties to be tyrannic and unjust ; it tempts the strong to tread down the weak, and reap the unjust gains of enforced labor. But let not the exulting proclamation of these evils which yet in some measure linger among us, mislead the hopes of patriots in Europe, or deceive the expectations of the people. A perfected work of liberty is the fruit of ages. It is its appointed work to exorcise every civil evil. It is a continuous work. It is going on among us victoriously ; and liberty never had so great a moral power on this continent as at this day. Let not priests, nor tyrants, nor glozing statesmen deceive our brethren abroad. Having tried the experiment, and of proportions suitable to a continent, we are prepared, to-day, better than any other people under the sun, to say to the Italian, "Liberty is worth all your struggles, your sacrifices, your very blood. Without it you will transmit to other generations children, however well born, but half developed." There can be no full manhood except in the atmosphere of liberty. Can a plant grow without light, and without sunlight ? Can a man grow without that element in which God stored all the blood for growth ?

In every human soul there is an ineradicable yearning for liberty. When that dies, the flame has sunk and gone out. The candlestick may remain—the candle is gone. Even in the darkest cellar, when spring comes, the tuber will sprout. No rains help it, and no sunlight ; yet it will waste its very life in shooting forth long and etiolated stems, and reach toward any chink or crevice through which the faintest gleam may come. But so little light as that makes growth to be exhaustion. And such are men grown in the darkness and dungeons of oppression ; while a free man, with all the circumstance and opportunity of admirable liberty, resembles more our own New England pine, that asks not richness of soil, that grows from among the rocks, and clothes the granite hills, and feeds abundantly even in the very sands—whose leaf never withers, and is as green in the winter as in the summer. Behold it, standing on the mountain top, and singing with every branch when summer winds sigh through it ; and even in the direst extremity of winter bearing up the cold snows upon its tufted branches as the warrior carries the white plume upon his head. And such is the man full-grown and strong in the nourishing air of liberty.

But this is a blessing which can never show its full excellence in single men. Individual liberty, isolated and exceptional, can never be what individual liberty is where free men touch free men on every side. Now and then a nobler nature may lift itself up with significant freedom in the midst of cruel oppressions. But such men no more represent the benefits of liberty than the gardener's hot-bed represents the wealth of full flaming summer in August days. It must be in the very air. It must inspire every life, intone each institution, glow in every custom, and shine forth like the very sun in the public sentiment of the whole intelligent community. The glory of liberty is seen only when it has reared up, from the bottom of society to the top, an educated, industrious, religious-minded common people. Regulated liberty—the liberty that makes laws and then obeys them; the liberty that builds states and then defends them; the liberty that takes the proportion not of single hearts, but of races and nations—this is the gift which God hath given to us, and which we fain would impart to every struggling people on the earth. The steps by which peoples may come to it may be slower in some instances than in others. Its advance, like the morning, may be through twilights, shining brighter and brighter to the perfect day; but it is the indispensable element of national health. It is the secret of the people's wealth.

And what people more than the Italian deserve our sympathy? From that hive has come the sweetest honey of poetry and of literature. On their anvils were forged the old swords that flashed high, and not in vain, in the defense of human rights, when happier days belonged to them. Upon their walls yet remain those matchless colors which, before printing was invented, or common schools were instituted, were a sacred literature. The painter's brush, the sculptor's chisel, were once the world's printing press; and grand natures left us noble thoughts and inspirations in architectural stone, in fresco, and on canvas. From that land we have received a wealth of civil law and philosophies of justice, and an example and inspiration of organization, for which we can never repay them. From them, largely, we borrowed the seeds whose harvests wave all around about us. Let us gather, then, from every field, the fairest fruits, and send them back a thank-offering.

I have said that the account of this meeting will go to Italy—for the world is now electric. The throb of your heart is felt to the

extremity of the world. Let your voice sound, as the voice of God, terrible in the tyrant's ear, and joyful to all the oppressed. The day is surely coming—the appointed day—when God shall avenge the people. Those among the crowned heads that are wise understand the prophecy, and already are in the interest of the people. They that understand it not are judicially blinded. Since they *will* not see, they *shall* not see. As men led to execution are blindfolded, so many obdurate tyrants are already blindfolded for their own destruction.

Let us not be unmindful of the service which Louis Napoleon of France is rendering to the cause of popular liberty. I abhor the methods by which he gained his power. I abhor whatever part of his administration is or has been despotic. I will not even claim that he has a disinterested love of universal liberty; but whether he does or does not love liberty, his conduct is significant. If he does, it is no small thing that the ablest monarch reigning in Europe, and over the most powerful people, has fulfilled the declaration that kings should be “nursing fathers.” But if he does not love liberty, his conduct is yet more significant; for what must be the public sentiment of the world, when a tyrant feels himself compelled by it to administer for freedom! But I believe that Louis Napoleon clearly perceived that the circumstances of Europe demanded that he should take the side of popular liberty, and that he is glad of it. It is an auspicious sign when monarchs seek to make thrones permanent by enlarging the basis of the people on which they stand. And I make haste to praise him, for fear the chance may pass away!

There are men that stand around about us to-night, and ridicule our speeches. They say, “It is nothing but wind.” It is *heart* wind. It is the breath of a whole people; and no wind bred in tropics had ever such power and majesty of motion as that. It was wind that took Columbus around the globe, and discovered this mighty continent on which we dwell. It is the want of free moving winds that leaves low places unventilated and pestilential. It is the free moving of the wind that renews the earth, and carries health around the globe. The very trouble of Italy is that there has not been air enough. It is the want of air to-day that makes it dangerous to live there. Give to Italian men the same use of their tongue that we have, the same right to speak—give them

free tongue-power—and they will overturn every oppression, and attain every needed right. Talking is not idle wind. When the heart blows, and the head—when a man's speech is the wind that noble thoughts and just sentiments make—let tyrants beware!

On many questions we are yet in sentiment divided among ourselves. The confederated States of this Union could not be brought together in one testimony to foreign lands in regard to every domestic question, nor even in regard to every application of the principles of liberty; but let the Italians know that there is no division among us anywhere in regard to the great doctrine of civil liberty in states and communities. And with all our home differences, if the question were put to-day to this land, whether it behoove the Italian people to be free and united under the common institutions of liberty, and from the North and from the South, from the Atlantic Ocean on the east to the Pacific Ocean on the west, with one voice louder than thunder, without one discordant dissent, they would send an all-hail to Italian liberty! We give them our fervent wishes. We offer for them our prayers. We are gazing upon them, witnesses of their past moderation and of their heroism. We have faith that the same Divine Hand that hath guided them thus far shall yet guide them. The sea shall be divided for their footsteps. They shall cross the desert, and be fed and saved therein. And we shall yet hear rising from the promised land the shout and the anthem of their achieved liberty!

PROFESSOR MITCHELL'S SPEECH.

Professor MITCHELL was next introduced, and addressed the audience as follows:

FELLOW-CITIZENS—I do not know how it is that I have been honored with an invitation to address you to-night. It has been my lot only to meddle with empires that belong to another world. I have been living all my lifetime among the millions of globes that stud the heavens, far away from mother earth—what, then, should I know of this earth, except that it revolves around the sun, freighted with living sentient beings? But that is a grand idea, that is a glorious idea, and I believe that all these worlds above us are freighted also with living beings; and I believe that one immortal soul is worth more than all these millions and millions of worlds.

And now, when I behold one solitary spirit on one of the smallest of these worlds, crushed down beneath the tread of tyranny and oppression, trying to lift itself up by the energy that God has given to it, then that spirit has my sympathy. What think you are my feelings toward a nation of millions of individuals determined to rise from the dust, by the eternal right that God has given them to liberty? I want to say a word with reference to the debt that we owe to Italy in my own department. My friends of the pulpit have most eloquently showed you how deeply they are indebted to that country in their own line; but we owe them still more in the knowledge we have of the heavenly bodies. It has been told you to-night that this was the land of Galileo—he who opened up to mankind the knowledge of the universe—who gave to the world knowledge of those eternal laws that God has impressed upon matter, by which the universe is governed, of which man had no previous conception. I was in this great land not long ago—I looked for beauty, and found nothing but ashes; I looked for glory, and found but disgrace. The spirit of man, which is greater than all other things, was crushed down into the dust. I looked into the glorious telescope of Galileo, as I stood upon the Leaning Tower of Pisa, where so many years before the young man had stood and said, “I will stand and defy the universe itself in proof of my doctrine”—and he stood there, and triumphed; I looked about me, and there still were the grand old mountains that have stood there for centuries, with all the other magnificent features that God has stamped upon that land. But the inhabitants were under the yoke of slavery. I saw there soldiers moving about the plains who did not belong to Italy. I saw their uniform—the white coat of Austria—and I asked a man what all this meant, and why there were Austrian soldiers in an Italian city. “Hush, hush,” he said, “you are a stranger here. We do not talk of these things—we only act in the dark, and at night, as occasion serves us. God grant that the day may come when we can lift our arms and assert our liberty!” Thank God! that day has now come—that glory has risen upon Italy, and the Italian now rises in the grandeur that belongs to him, and stands upon that magnificent platform which his ancestors reared for him, there to assert his rights, his power, and his independence, and to reach that glorious elevation which God has destined for that wonderful land—that magnificent

country. I have stood at night under the influence of that glorious and inspiring atmosphere, and have gazed upon the stars that flashed in beauty upon what?—a pack of slaves. Do you think that God ever formed that country for slavery? He formed it for freedom, and I send this fact, not to the Pope, but to the crushed and down trodden who have showed themselves anxious for liberty. They have prayed and waited until it seemed that despair had crushed it into the earth. But now, I say to them, My friends, rise! We give you joy. The time has come when tyranny can no longer oppress you. Come up, and be men, as God designed you to be. I call upon you again, by the glories of your ancestry—I call upon you by those who have led the world in arms, and art, and literature, to rise and assert your freedom—to rise and assert your rank among the nations of the earth. The day has come. God's blessing is upon you—manhood yearns over you—now is the time to strike for freedom—and God grant that the stroke may go home with irresistible power, and that your victory may be complete.

THE SYMPATHIES OF THE LADIES.

At the conclusion of Prof. Mitchell's speech, the President read a note from a lady in the audience, as follows:

"Please to send the warm and heartfelt sympathies of the women of America to their brothers and sisters in Italy."

After three tremendous cheers for Garibaldi, the meeting was dismissed.

LA FAYETTE.

An Oration, by Hon. Charles Sumner, delivered in New York and Philadelphia, December, 1860.

LADIES AND GENTLEMEN—I am to speak to you to-night of one who early consecrated himself to human freedom, and throughout a long life became its knight-errant, its hero, its apostle, its martyr—who strove for it as no man in all history ever strove—who suffered for it as few have suffered, and whose protracted career, beginning at a period when others are still at school, and ending only at the tomb, where he tardily descended, was conspicuous also for the purest principle, the most steadfast integrity, and the loftiest courage, civil and military. There is but one person in all history to whom this description is applicable, and even if your distinguished Chairman to-night had not announced my subject, you would all have anticipated me when I pronounced the name of La Fayette. Surely if liberty be what history, philosophy, and human art all declare, then must we revere the example of one who loved, but always with reverent fondness. Nor must we expect from his perfections that which does not belong to humanity. Surely it is enough for your gratitude that he stood forth a constant friend, unmoved, unshaken, unreduced, unterrified, trampling on all the blandishments of youth, of fortune, and of power; keeping himself sternly aloof, alike from king and emperor; giving himself singly to this great cause, with a soul as fearless, irreproachable as Bayard, from whom generals and kings received knighthood; as unbending as Cato, who alone stood against Cæsar; as gentle as the best loved disciple, who leaned on the bosom of the Saviour, and alone of all the disciples followed him to the cross! If this subject needed any attraction, I should find it in circumstances which it has been my lot to enjoy. Often while in Paris as an invalid I turned aside from its crowded life in order to visit the simple tomb of La Fayette, where he lies in the cemetery, just within the old walls of Paris, by the side of his heroic wife; and never did I look on that simple slab of red free-stone—for that is all—and study the simple inscription, with-

out title of any kind, and then turn to the surrounding monuments, all emblazoned with princely or noble titles, without confessing that practical loyalty of character, thus illustrated, which will be my theme to-night. And my impressions, gathered at the time, were confirmed at Lagrange, the country house of La Fayette, where he passed the last thirty years of his life in patriotic simplicity, surrounded by children, grandchildren, and happy guests, and where everything still bears witness to him. It was on a beautiful October day of the last year—now only a little more than a year ago—that just before leaving France, in company with a friend, I visited this most interesting scene. You all know something of it from books and pictures. It is a most venerable and picturesque castle, with five round towers, a moat, a draw-bridge, ivy-clad walls, a large court-yard within, and the whole embosomed in trees, except on one side, where a lawn spreads its verdure. Everything is historic. The castle in its origin goes back to the twelfth century. It was once tenanted by the princes of the great house of Lorraine. The cannon of the field-m Marshals of the time have left their traces on its masonry. The ivy which mantles so luxuriantly its gate and the tower by its side was planted by the great English statesman, Charles Fox, on his pilgrimage there during the short-lived peace of Amiens, in 1802. The park owes much of its beauty to La Fayette himself. The situation of the castle harmonizes with those retired habits which sought shelter here from the storms of fortune. It lies in a level district, forty-five miles due east from Paris, remote from any highway; remote, also, from the railway which now traverses that region, in a country filled with orchards, smiling with fertility of all kinds. The estate immediately about the castle contains six hundred acres, which, in the time of La Fayette, was increased by several outlying farms. A well-filled library occupies the upper room of one of the round towers, and in the window overlooking the farm-yard still stands the very desk at which La Fayette was in the habit of sitting, and within reach the speaking-trumpet with which he was in the habit of addressing his farmers from that very window, and on the desk the account-books of the farm, in his own handwriting, precisely as he left them. The castle is now tenanted by the family of one of his grandchildren, whose simple, cordial welcome to us, merely as Americans, gave token of their illustrious ancestor, no less than those many memorials or the full-length portrait which adorned the walls.

La Fayette, the only child of an ancient house, was born September 6, 1756. He came into the world an orphan, because his father had already perished at the battle of Minden. Those verses which once interested Burns and excited the youthful imagination of Scott:

Cold on Canadian hills or Minden's plain,
Perhaps that parent wept her soldier slain;
Bent o'er her babe, her eye dissolved in dew,
The big drops mingled with the milk it drew.

His mother died shortly afterward, leaving him alone in the world, without father, mother, brother, or sister, but with fortune and rank such as few possessed. In his own memoirs—which, of course, have been published only since his death—he speaks of his birth simply, and says nothing of his family. But if you would appreciate adequately the prejudices he overcame and the difficulties he encountered, you must know something of the family from which he sprang. That family was not merely ancient and noble, but historic. It had given to French history, in its earliest days, a Field Marshal, who, after valiant services in Italian campaigns, fought by the side of the Maid of Orleans, Joan of Arc, in the expulsion of the English from France; and Madame Sevigne, who shone at the Court of Louis XIV., and showed what woman could accomplish. So that the young orphan bore a name which, in a country of hereditary distinctions, bound him to their preservation, while it was to him everywhere an all-sufficient passport. But as some are born poets, and some mathematicians, so the Marquis de La Fayette was born to the career that he led—"Liberty." As he was accustomed often to repeat, "Liberty was with him a religion, a passion, a geometrical certainty," this passion—thus sacred, thus earnest, thus potent—was inborn, as was also a passion for glory. Even while still in the seclusion of his mountainous home, he sought for adventure. When at the early age of eleven he was transferred to the college at Paris, his soul thrilled under all instances of republican virtue. He delighted in his old age to remember that, while a boy at school, he lost the prize for a composition describing a perfect horse, because he could not resist the temptation of picturing the noble animal as throwing its rider at the sight of the whip. From youth to age he was silent and reserved, even to coldness, so that he differed from the giddy and ostentatious noblemen of the day in external manners as he differed from them in character.

An early marriage, at the age of sixteen, enlarged his aristocratic connections, and completed all that the heart could desire for happiness or worldly advancement. But the life of a courtier, and even the companionship of royal princes, did not satisfy his earnest nature. He turned away from the follies and splendor of Versailles, in order to follow in the footsteps of his father, as captain in the French army, stationed at Metz, a town upon the Rhenish frontier; and here there occurred an incident which gave character and direction to his whole subsequent life. The younger brother of King George III., smarting under the slights received at Court, on account of a marriage offensive to the King, suddenly left home, and going over to the Continent, stopped at Metz, where he was entertained at dinner by the commander of the garrison. At the table sat the youthful La Fayette, then scarcely nineteen years of age; and then for the first time he heard the story of the American insurgents—as your fathers were then called—of the conflicts at Lexington, Concord, at Bunker Hill, and of the Declaration of Independence. His whole soul was thrilled, and the words of the royal Duke fell upon his sensitive nature like a spark, kindling it to unaccustomed emotion; so that before that dinner was over, his resolve was fixed to cross the sea and offer his sword to distant unknown fellow-men struggling for human rights. This was in the autumn of 1776. Losing no time, he repaired to Paris, and at once presented himself before the American Commissioners there, who welcomed with grateful astonishment their romantic ally. Meanwhile came tidings of those disasters—too familiar to all of us—of the forces of Washington in their retreat through New Jersey, tracking the snow with bloody feet, seeming to denote that all was lost. The American Commissioners, at the head of whom was that man of wisdom, Benjamin Franklin, openly confessed that they could not counsel him to proceed with his purpose. But his undaunted temper was now quickened anew; and when told by the Commissioners that with their damaged credit they could not even provide a passage for him to our country, “Then,” said he, “thus far you have seen my zeal only; it shall now be something more. I will purchase and equip a vessel myself. It is while danger threatens that I wish to join your fortunes.” Noble words! Worthy of immortality, are they not? and never to be heard without a throb by the American heart. A vessel was found, and he went at his single and exclusive expense. Meanwhile, partly to mark his enterprise, and also in the

hardihood of his courage, he went over to England, where, owing to his eminence, although still so young, he was presented to George III. by the French Ambassador. The King received him with cordial hospitality, and invited him to prolong his visit, when La Fayette, in all simplicity, said it was impossible. The King followed up his invitation by inquiring, "Why can not you stay longer?" "May it please your Majesty," said La Fayette, in reply, "I have a very special engagement, which if your Majesty were aware of, your Majesty would not invite me to stay." Such was the welcome lavished upon him that he was even asked to be present at the review of British troops about to embark for America. But here his instinctive delicacy prevailed, and he declined, not thinking it right to take advantage of a hospitable invitation to inspect troops against whom he was so soon to array himself in war. "But," relating this incident in his old age, he said, "I met them six months afterward at Brandywine."

Leaving England, he traversed France with secrecy and dispatch, in order to join his vessel, which was lying at a Spanish port outside of French jurisdiction. His departure came like a bolt upon the English Court he had just left; and the French Court, unwilling to be perplexed at that moment by such a step taken by a Frenchman, planned for him a tour in Italy, which, in his long and busy life, he was unable to accomplish. His young wife was too noble in character and loved him too well not to sympathize with his purposes, although they caused his separation from her. To show the impression produced by his sudden departure, among the many illustrations that I could give, I will read three lines from a familiar letter written by Gibbon, the historian, dated London, April 12, 1777: "We talk chiefly of the Marquis de La Fayette, who was here a few weeks ago. He is about twenty, with 130,000 livres a year, and is gone to join the Americans." His own family, that into which he married, now interfered with peremptory command, and the government of France interfered by a well-known letter of *cachet*. Disregarding the one and evading the other, in the disguise of a courier, and, it is sometimes said, with his face painted black, he crossed the Pyrenees, and soon found himself on board his vessel with his few companions in arms.

On April 26, 1777, he set sail for America. Consider, if you please, the dangers of the sea which he then braved, and you will say, with the classic poet of antiquity, that he showed a heart of triple oak. Add to that the perils of capture, and add still more

the motive of all this enterprise, and your admiration must be enhanced. Never did hero go forth on a more beautiful errand, for it was he who carried words of cheer to our fathers and opened up a way to those fleets and armies of France afterward marshaled on our side; and its sympathy with our cause is most beautifully and tenderly revealed in the letters which he wrote to his wife on that passage. And as I am about to read a few lines from one of these letters, allow me to remark that I am not aware that they have ever been presented to attention in our country; they have naturally seen the light only since the death of La Fayette. I am not aware that they have been translated, nor do I know any source from which the character of La Fayette can be so completely illustrated. One other remark. I doubt if in all history, or in all biography, anything written by a youth of nineteen can be produced comparable to these words: "I hope, for my sake," thus he writes to his wife, "you will be a good American. This is a sentiment appropriate for virtuous hearts. Intimately allied to the happiness of the whole human family is that of America, destined to become the respected and sure asylum of virtue, honesty, toleration, and of tranquil liberty." What words for a youth of nineteen, laboring through the sea, but lifted up by thoughts like these!

He sailed at last, and touched the coast of South Carolina. Going ashore in the night and following a friendly light, he soon found himself beneath the roof of that country for which he had made such a sacrifice. The Continental Congress was then in session in Philadelphia, and his first desire was to report himself there. Keeping his own counsels, making no disclosures at Charleston of his plans, he started on a journey of nine hundred miles, most of the way on horseback, through the two Carolinas, Virginia, Maryland, and Delaware. He journeyed on, enjoying nature in its simple freshness, and the kind, cordial welcome which greeted him everywhere on the road. "The farther North I proceed" (thus he writes in one of those tender and affectionate letters to which I refer, and to which I have before alluded), "the farther North I proceed, the more I like this country and its people." His attention had already been arrested by the "black domestics," as he called them, who came to receive his orders. Then, for the first time, he looked upon a slave, and his whole subsequent life shows clearly how his candid nature must have been troubled. He had turned away from France, where, amid gross inequalities of all kinds, this grossest did not exist; where, in the descending

scale of the feudal hierarchy, there was no place for this degradation; where, amid unjust taxes and injurious privileges of all sorts, every man had a right at least to his wife, his child, and to himself; and where the boast was proudly made and repeated by judicial tribunals, even as in England, that the air was too pure for a slave to breathe. With angelic generosity he had turned away from his own country to follow in the service of liberty, and now he found men rudely held as property and despoiled of personal rights by those whose struggles merely for political rights had already absorbed his soul. Youthful, and as yet little experienced in the inconsistencies of the world, his soul must have recoiled as this dismal and most incomprehensible inconsistency glared before him.

Arriving at Philadelphia, he presented himself at once before the Continental Congress, tendering his services as a volunteer and without pay. Congress, touched at once by the magnanimous devotion of the youthful stranger, and already, by a letter from Dr. Franklin, apprised of his eminent position at home, at once made him Major-General in the army of the United States, where he took rank by the side of Gates and Greene, of Lincoln and Knox. Born to exalted rank in an ancient monarchy, he now found himself admitted to the highest place in the military councils of a republic; and this while still a youth and under twenty—younger than Fox, younger than Pitt, when they astonished the world with their precocious parliamentary powers; younger than Goundeat, in his own beautiful France, on the field; and his modesty was not less eminent than his post. To Washington, who apologized for exhibiting his raw American troops before a French officer, he replied at once: "I have come here, sir, to learn, and not to teach." The Commander-in-Chief, usually so grave, was won at once to that perpetual friendship which endured unbroken as long as life; showing itself now in tears of grief and now in tears of joy—treating the youthful nobleman always with paternal care, sharing with him his table, his tent, and on the field of Monmouth the same cloak for a couch; following his transcendent fortunes, now on giddy heights and now in gloom, with constant, unalterable attachment; corresponding with him at all times, addressing his noble wife in her unparalleled affection, and pleading across sea and continent with the Austrian despot in his behalf. Surely it is much to have inspired the most tender friendship that history records in the life of Washington. There were other strangers about him scarcely less brilliant than La Fayette—Kos-

ciusko, Baron Steuben, the distinguished Commander-in-Chief of the French army, and others, gathered about Washington; but La Fayette alone obtained a place in his heart. Friendship is always a solace and a delight, but such a friendship was a testimony.

His intrepidity soon found occasion for display at the battle of Brandywine, where, in attempting to rally retreating troops, he was wounded in the leg; and thus, by suffering in our cause, increased his title to regard. As his simple, unaffected nature became known, he won the attachment of both officers and men—so that he was able to relieve the anxieties of his youthful wife at home by writing to her that he “possessed the friendship of the army in gross and in detail.” Those are his very words. Nor was this unnatural, when you consider how completely, in dress, in food, and in habits, he became American, as he was already American in sympathy. This youthful nobleman, bred to all kinds of luxury, subjected himself to privation and fatigue, and he showed himself more austere and frugal even than the republicans themselves, sometimes living for months on a single soldier’s ration, without a dollar in his pocket. The confidence of Congress naturally followed, and by special vote Washington was instructed to give him a command of his own.

The scene now shifts. France, meanwhile, herself, has become openly enlisted on our side. One of her leading philosophers counseled against this step, which seemed to launch the ancient monarchy on a dangerous career. Jealous of a rival power, smarting under recent reverses, the French Court was willing to embarrass England, provided it could do so covertly, without the hazards of open war. The King himself never sympathized with our cause. This is an error in which many of us have been educated, that King Louis XVI. really sympathized with our fathers. It is a mistake; he did not; but public opinion, which, in that country, inclines to generous ideas, was touched by a distant people struggling for human rights, at first doubtful, and then suddenly illumined by the victory at Saratoga; while Franklin, who represented our cause in Paris, had challenged the admiration alike of the grave and the gay, and the example of La Fayette had touched the heart of the nation, so that the Court and the King were compelled to bend before the public will, and to enter into that treaty of alliance with the colonies by which their final success was assured.

The duties of the patriot were now superadded to those which La Fayette had already assumed to our cause, and he at once frankly

made known to Congress his new position, in a letter, from which I will read a brief passage: "As long as I thought," so he writes to Congress, "I could dispose of myself, I made it my pride and pleasure to fight under American colors, in defense of a cause which I dare call ours, because I had the good fortune to bleed for it. Now that France is involved in war, I owe her my services; but whether present or absent, I shall never fail in zeal for the United States."

Congress responded by an unlimited leave of absence, with permission to return to his original rank in his own good time, by a vote of thanks and by a letter to the French King, concluding with these emphatic words: "We recommend," says the American Congress, "this young nobleman to your Majesty's notice, as one whom we know to be wise in counsel, gallant in the field, and patient under the hardships of war."

It was while on his way to embark at Boston that he suddenly became ill of fever, and his life for a time was despaired of; and I mention it now merely to make a record of the grief that Washington showed. It is said that he read the language upon the daily bulletins of the physician with tears in his eyes. But the patient was happily spared to his family and to his two countries. If the sensation caused by his departure from France had been great, that caused by his return now, after two years of gallant service, with high military rank, with the thanks of Congress, the letter to the French King, and with the friendship of Washington, was far greater. Wherever he appeared, he was now greeted by an admiration that knew no bounds. He himself familiarly spoke of it—you may say in a French style. He says that he found all at once that he was consulted by all the Cabinet, and, what is much better, kissed by all the ladies. But his thoughts never were away from us, and he begrudged the expense of every *fête* given in his honor, wishing to see the money applied for the poorly-equipped American forces. So ardent was he, that the French Prime Minister said that La Fayette would, for the sake of Americans, strip the palace of Versailles of its furniture. Such a sincere and ardent nature, in one who was at the same time a French nobleman, was truly remarkable. The papers of La Fayette attest the ability with which he pressed upon his own government at home the duty of active participation in the contest. Soon he turned again from the charms of family and of country, and crossed the sea, and this time landed, not at South Carolina, but at Boston—a place for

which, in one of those tender letters to his wife to which I have referred, he says he always had a predilection (and you know this word has the same meaning in French as in English), chiefly, it appears, because there were no slaves there, but equality for all; although on one occasion he says that some people there in Boston seemed ill disposed. At the tidings of his arrival there was everywhere one outburst of welcome. The army were filled with delight, and Washington, so it is recorded, now shed tears of joy. Then commenced the second part of his American career with active military services; his campaign in Virginia against the British general, Lord Cornwallis, when the latter said, "The boy shall not escape me," followed up, however, by La Fayette's active co-operation in the final assault at Yorktown, when this very Lord Cornwallis surrendered to the combined forces of America and France.

All this belongs to the war of both countries, and I only allude to it, as my object to-night is to present to you only that which, if I may say so, constitutes the key-note to his life and character. Grim-visaged War now smoothed her wrinkled front, and in the lull which followed this great victory, La Fayette once more returned to France, with a new vote of thanks from Congress, and with new and higher trusts. By special vote, all our ambassadors in Europe were instructed to consult him, and the youthful soldier was now changed into the more youthful diplomatist. Nor was he less efficient in the new field. Wherever he appeared, his presence for our country was an embassy. Through him the haughty Spanish Court was approached, and gigantic forces were now gathered in the common cause at Cadiz, destined to attack the West Indies, then, sweeping along the coast, to capture New York, at that time the headquarters of the British power. Great Britain bent before the coming storm, and signed that treaty of peace by which our independence was acknowledged and our position in the family of nations secured.

It was fit that this great news should reach America first through her greatest benefactor. It was first known by letter to the Continental Congress from La Fayette, dated at Cadiz, 5th February, 1783, and I pray you do not forget that date, for I shall refer to it again. So that he who espoused our cause in the hour of its greatest gloom, became the herald of its final triumph.

But another letter, dated at Cadiz, 5th of February, 1783, bearing the same date with that announcing the acknowledgment of

our independence, opens another question which had already touched his heart, and opens a new chapter of glory. Thus he writes to Washington, and the coincidence of dates shows how clearly he associated the rights of the African slave with American independence. "Now, my dear General," says he, "since you are about to taste repose, permit me to propose a plan which may become largely useful to the colored portion of the human race. Let us join in the purchase of a small property, where we can make an experiment of emancipating the negroes, and of employing them simply as farm laborers. Such an example given by you would be generally followed; and if we should succeed in America, I would with joy consecrate a part of my time to extend it in the West Indies. This may seem a strange project; but I prefer for this cause to be called foolish, rather than by opposite conduct to be called wise."

Surely you are right to applaud those words. In them you can not fail to recognize that same lofty spirit that first led him to enlist for us; the same self-sacrifice, the same generosity, the same nobleness expressed with beautiful simplicity and frankness. France has heard those words for the African race. They are also precious as an illustration of that remarkable character which, from the beginning, was moved by no transient impulses of mere adventure, but by an instinct of human rights almost divine. In this light his consecration to our cause assumes new dignity, and American independence itself becomes but a stage in the triumphs of that liberty which is the common birthright of all mankind.

He was now in France, but adhering to a pressing invitation, he once more visited the land whose independence he had helped to secure by services in diplomacy and war. For six months a welcome guest, he surrendered himself to the sympathies of the people, the delights of friendship, and the companionship of Washington, whom he visited at Mount Vernon, and with whom he journeyed. But this was not all. The slavery of the African race had already touched his heart, and he could not be silent. In official answers to official addresses, from Southern Legislatures, he openly called upon them to commence the work of abolition. This was in 1784, several years before Clarkson, then a youth at the university, had been inspired to write that essay against slavery which was the beginning of his life-long career, and several years before Wilberforce, in the British Parliament, had brought forward that motion against the slave-trade which has made his name sacred in history.

If these words of La Fayette failed, at the time, of their purpose, they none the less exhibited the exalted character of their author.

At last, about to leave our country, and being received by Congress, as he was taking leave he let drop other words wherein may be seen the same spirit, and also the mighty shadow of the future. "May this great temple" (thus he closed his address to Congress in 1784), "which we have just elevated to liberty, always be a lesson to oppression, an example to the oppressed, a refuge for the rights of the human race, and an object of delight to the departed souls of its founders." Naturally words like these from a French nobleman show that a great revolution was at hand.

Once again in Europe, he ranged over its different countries, visiting its courts, and was everywhere a welcome guest, especially in Prussia, where he enjoyed the conversation of the philosopher King Frederick, sometimes called the Great, and the dazzling reviews of his well-ordered troops. But his heart was ever intent on human improvement, and hastening back to Paris, he at once commenced new and kindred services. He espoused the cause of the Protestants, and brought forward earnest measures for the removal of their disabilities, then amounting to absolute outlawry—the sad heritage of the Edict of Nantes—so that, although a Catholic himself, he is enrolled among the champions of religious toleration.

At this time his opposition to African slavery assumed a practical form. At an expense of 130,000 francs (which, allowing for the difference in the value then and now, would be about \$50,000) he purchased a plantation in the colony of Cayenne, in South America, with a view of emancipating negroes, and trying the great experiment of free labor. This was no hasty plan. You have already seen that more than two years before he sought to enlist Washington in that behalf. And now, I certainly should do injustice to both La Fayette and Washington, if I kept back the letter with which Washington received the intelligence of this last act:

"The goodness of your heart, my dear Marquis, is self-evident in all circumstances, and I am not surprised when you give new proofs of it. Your late acquisition of a plantation in Cayenne, in order to emancipate slaves, is a generous and noble proof of your humanity. May it please God that a similar spirit should animate all the people of this country."

Thus wrote Washington. That great event was now at hand

which, beginning in a claim of rights denied, and inspired by generous ideas, was destined, amid falling privileges and tottering thrones, to let loose the most direful furies of discord and civil war, to drench the scaffold with the blood of king, queen, and of good men in all ranks of life; to lift the nation to unknown heights of audacity and power, to dash back the host of foreign invasion like the angry surge from the rock, and organize victories on a scale of grandeur such as had never before been witnessed, and, finally, to mark an epoch in the history of the human race. The French Revolution was at hand. It was foreshadowed in the writings of philosophers, in the gradual march of human progress, in the widespread acceptance of our American Revolution, in the growing instincts of the people, in the obvious injustice of existing things. It was foreshadowed in the example of La Fayette. He was, of all men, its natural representative just so long as it continued moderate and humane. Alas! that a cause so just in itself, so precious in its objects, should be wrested from its true character by the passions of men. The first step was the Assembly of the Notables, in February, 1787. There stood in that assembly the two brothers of the King, all the princes of the blood, the dukes, peers, chancellors, and officials, all convened in the interests of the Crown. But the people had no representative. La Fayette became their representative. As he had formerly drawn the sword, so now he lifted his voice for popular rights. The King's brother—afterward Charles X.—feeling that La Fayette was pressing too far, undertook to call him to order. "We are summoned," said La Fayette, "to make the truth known to the King, and I shall proceed. He proceeded by formal propositions to call forth—1. The removal of the Protestant disabilities. 2. The abolition of certain unjust taxes. 3. The abolition of the whole system of arrests, especially the odious *lettres de cachet*. 4. The revision of the criminal law. 5. Economy in the royal household, pensions, and the administration of the government. Following these propositions, he proceeded to make a motion. That word, now so familiar to our ears, was then, for the first time, made in parliamentary proceedings in France. He made a motion to convene an assembly that should represent the people. "What!" said the King's brother, who was in the chair, "do you call for the States-General?" "Yes," said La Fayette, "and something better still." The States-General were called together in May, 1789, at Versailles. There appeared the imposing figure of Mirabeau, demanding, in the name of the

people, the removal of the troops placed by the King round about the Assembly. The youthful La Fayette rose to second the motion, followed by bringing forward a declaration of the rights of man, founded not on precedent or concession, but on immutable nature. Such declaration of rights, already known in our country, were now for the first time put forth in Europe. La Fayette's declaration began as follows:

"Nature has made men free and equal. Every man is born with rights inalienable and imprescriptible, such as the liberty of his opinions, the right of property, the uncontrolled disposal of his person, his industry, and all his faculties; the communication of all his thoughts by all possible means, the pursuit of happiness, and the resistance of oppression."

Those words, adopted by the National Assembly of France, were more than a battle—they were a victory, whose influences can never die. Only three days afterward the Bastille was leveled to the ground. People now looked for a leader, and they found him in the author of the Declaration of Rights. Amid an outburst of applause, La Fayette was conducted to the City Hall, placed at the head of the militia, which then, at his suggestion, took the name of the National Guard. It now became his duty to maintain order, and never was that service more conscientiously performed. The colors of Paris were blue and red, and in the spirit of conciliation he proposed to add the ancient color of France, white. Thus was formed the famous tri-color, which he then proudly declared was destined to make the tour of the world. But, though engrossed by his duties as commander of the Guard, he did not abandon his post in the National Assembly, and whenever he appeared there it was to utter some sentiment of liberty or sustain some principle. Borrowing a sentiment from the State of Virginia, he openly declared that "resistance to tyrants is obedience to God." He then, by way of practical proposition, called for trial by jury, the removal of religious disabilities, the equality of sects, the rights of colored persons in the colonies, the removal of all privileges, and, finally, the abolition of the nobility itself. While the latter proposition was pending, in reply to one who asked what they would substitute for those words, if the nobility were abolished—"noble for having saved the state at a particular day"—he simply said that on the day named the person in question had saved the state. The proposition prevailed, and ever afterward La Fayette laid down his own time-honored titles, and was known only as La Fayette. In

other respects he showed the same simplicity and sincerity of character. Accepting the honorary command of the National Guard, he received colored men in the uniform of the National Guard at his own dinner-table, where Clarkson, the philanthropist, relates that he met them, in 1790.

Beyond all question, he was now the most exalted citizen of France, the center of all, holding in his hands the destinies alike of King and people. Never in France had such eminence been obtained—never anywhere more honestly worn—never had it been surrounded by dangers so appalling. Perils and temptations of all kinds awaited him. But he was indifferent alike to temptation and to danger. Emoluments of all kinds he rejected. Had his been a vulgar ambition, he might have clutched at dominion and played the part of Cæsar, or Cromwell, or Napoleon. But true to the example of Washington, and above all true to himself and those just sentiments which constituted a part of his character, he thought only of the good of all. Calmly looking down on the fearful chaos, where ancient landmarks were heaving in confused mass, he sought only to assuage the wide-spread tumult, and to establish that divine tranquillity which, like the repose of nature, is found only in harmony with law, that human rights, always sacred, might derive new support from the prevailing order; and this done, it was his intention to withdraw into the seclusion of private life. The constitution, with his Declaration of Rights, was at length adopted. The King took his oath to support it, and La Fayette next did the same. The people by voice and outstretched hand united in the oath! How faithfully he kept that oath! At length, satisfied that the revolution had accomplished its work, he caused an amnesty to be proclaimed, and then laid down his great military power and withdrew to private life. But only for a short time.

The scene again changes. The two brothers of the King were now gathering hostile forces on the Rhenish frontier of France; Prussia and Austria had joined in the coalition. France was menaced. The government launched at once three armies against the invaders. At the head and center of the army was placed La Fayette, who for that purpose was summoned from his retirement. At the mention of his name in the National Assembly there was an outburst of applause; and when he received his instructions from the door, the President, addressing him, said: "France opposes to her enemies the constitution and La Fayette." Alas! how

soon were both to fall! A new power was beginning to show itself. Danton and Robespierre were active, clubs were organizing, the people were lashed to lawless frenzy, the Jacobins, whose name has ever since been the synonym for "counselors of sedition," became demented, and La Fayette, who had been the glory of the representatives of the Revolution, revolted at its excesses. In addressing a letter to the National Assembly, he denounced the Jacobins as substituting license for liberty. He gallantly appeared at the bar of the Assembly and repeated the denunciation. But the Reign of Terror was at hand, destined to fill France with darkness, and to send a shudder through the world. The King, Queen, and Royal Family, after a bloody conflict at the gates of the palace, were compelled to find shelter in the bosom of the Assembly. The scaffold was not yet quite ready, but the constitution was overturned, and with it La Fayette. True to his oath and to his own lofty integrity of character, he denounced the audacious crime.

The Jacobins had marked him, while yet at the head of the army, as their victim. Unwilling to save his own life at the expense of a civil contest that should drench France in fraternal blood, he resolved—sad alternative!—to withdraw from his post, and passing into a neutral country, thence to come to the United States, where from a distance he might watch his own country desolated by civil war.

As his eminence had been without parallel, so was now his fall. Power, fortune, wife, family, country—all were now changed for a dungeon, where, for more than five years, amid unparalleled privations, he wore away life. But not in vain; for who can listen to the story of his captivity without admiration for that unconquerable firmness of principle by which he was sustained. He was seized on the frontier as he was endeavoring to reach Holland, recognized by the soldiers, and then commenced that catalogue of indignities under which his great soul seemed rather to rise than to bend. To his application for a passport he was answered by the jeer that he should have a passport to the scaffold. The King of Prussia, thinking to take advantage of his growing debility, suggested that his condition might be improved in return for information furnished against France. The heart of the exiled patriot was aroused at the idea that he could be tempted to furnish information against his country. "The King is impertinent," he simply said, in reply, and composed himself to the continued rigors

that awaited him. He was at first cast into prison and then carried on a cart to the fortress of Madgeburg, where for more than a year he was immured in a dark, subterranean dungeon. On the establishment of peace between Prussia and France he was handed over to the Austrian jailers, by whom he was transferred to the fortress of Olmutz, then little known, but from this incident now memorable in history. His captivity was now complete. Alone in his cell, with no object in view but four walls, shut out from all knowledge of the world, shut out from all knowledge of his family, who, on their part, could know nothing of him; never addressed by his name; mentioned only by the number of his cell, 15; cut off from all chance of self-destruction, by being deprived of the use of a knife and fork—such was now his lot. But never for one moment did his soul bend in its firm resolves. Immediately on going to prison, he took the precaution to make an official declaration of his principles, so that he might not, in any respect, be confounded with fugitive royalists. Letters now exist, some of them written at the peril of his life—sometimes with lemon-juice, sometimes with a tooth-pick dipped in chimney-black mixed with vinegar—where his beautiful soul is laid bare. Confirming his joy that he suffers of that despotism which he had combated, rather than from the people he loved so well, he announces his equal opposition to the committees of Jacobinism and the cabinets of the coalition. He declares his firm conviction that amid all the checks of anarchy liberty will not perish. He remembers with a thrill the anniversary of American Independence as that day comes. Of his own declaration of the rights of man, he says that if he were alone in the universe he would not hesitate to maintain it. He scorns the idea of retracting it at the expense of his character and principles. But never, never did any soul rise to purer heights than when from that dungeon he left us this prison legacy, “that the satisfaction derived from a single act rendered to humanity, more than outweighs all the evil inflicted by our enemies, and even all the ingratitude of the country.” Then, going further, he sends his thoughts to those poor African slaves on the distant plantation of Cayenne. In the wreck of his great fortune, he knew not what had become of this plantation, and he “trusts that his wife will take care that the Africans who cultivate it do not lose their liberty.” Search history, and I know nothing more sublimely touching than these simple words from that heavy-bolted dungeon. That noble woman, mated with him

in soul, as in the marriage vow—and in all history there are few women that can compare with the wife of La Fayette—knowing well his wishes, had already sought to anticipate them. But, alas! in vain. The liberty of those Africans had already been cruelly confiscated with his estate, and that confiscation was but symbolical of the proscription that now descended upon his family and his friends.

In the masquerade of blood which now ensued, the imputation of "Fayetteism" was equivalent to a decree of death; nor were tender women spared. The sister, mother, and grandmother of his wife all perished in the same hour upon the scaffold, and fell with a hundred others in a promiscuous grave. His own wife was twice plunged in a dungeon, and only escaped the same fate by the timely overthrow of the tyrant Robespierre. Their only son, George Washington La Fayette, had already, by her maternal care, been conveyed to his great namesake in America, who received and sheltered him at Mount Vernon. At last, regaining her freedom, this noble woman, with her two youthful daughters, under the protection of an American passport, hurried across the continent of Europe to Vienna, and threw herself at the feet of the Emperor. To her prayers for the release of her husband, the despot replies that his hands are tied; but touched by devotion so womanly, so wife-like, so heroic, he yields so far as to allow her, with her two daughters, to share his wretched captivity, upon the single condition that upon once entering the dungeon they were never more to come out; and these terms were accepted by that devoted family. Vain now were all the efforts for his liberation. Not Fox, not Cornwallis, not Washington, could open those prison doors. La Fayette was declared to be not only the representative of the French Revolution, but of universal liberty, whose existence was dangerous to European governments. Private enterprise seemed for a moment to be likely to end his long confinement.

Upon the repeated application of his physician, La Fayette was allowed occasional exercise in the open air, under a strict military escort. Two friends, who for several months had been watching for the opportunity, communicated to him their plans, and, with their assistance, after a desperate conflict, he escaped, but only to be recaptured, after a flight of twenty-seven miles, and plunged into a still worse dungeon. But this enterprise, although unsuccessful, is never heard without a thrill of gratitude toward those noble men who, taking their lives in their hands, thus braved the

Austrian tyranny. Human nature seems more fair from their example. All hope for his liberation was now abandoned. His friends, both in France and in America, were wrung with anguish; and Washington, at his fireside in Mount Vernon, shed tears for his friend. But an intervention was at hand which would not be denied. It was the sword of Napoleon Bonaparte, which, flashing across the Alps from his Italian campaigns, broke open the dungeon of Olmutz. The conqueror was afterward heard to declare, that among all the concessions he extorted, there was nothing he found it so difficult to obtain as that release. But it was accomplished, and La Fayette, with his wife and daughters, leaving their dungeon-home, traversed Europe to Hamburg, where they found shelter with the American Consul beneath the American flag. This was in the autumn of 1797.

And now, while still in exile from France, he opens a new career of glory by entering the lists against the African slave-trade; and in memorable words he announces that it is the mission of France, while healing the wounds of the past, to provide freedom for all, whether black or white, beneath the protection of law. It was at this time that he said if he could only find himself the possessor of a few dollars—for his fortune was all gone—he had conceived the plan of buying a farm either in Virginia, not far from what he calls the Federal City, or in New England, not far from Boston; and thus, in one of his tender letters to his wife, he balances between these two places: "I can not disguise from you, my dear Adrienne, that I can ill bear the serfs where I now am, and it is mournful to every friend of Virginia to find in Virginia negro slaves; for equality, which in the Northern States is for everybody, exists in the Southern States for the whites only. Therefore, while I perceive all the reasons which should draw us, near Mount Vernon and the City of the Federal Union, yet I should prefer New England."

At length, rejoining France, when the outlawry against him had become a dead letter under Napoleon, he withdrew to La Grange, where he preserved unsullied the integrity of his character. Napoleon wished to make him Senator, and he declined; offered him the Grand Cross of the Legion of Honor, which he also declined. But never did his firmness show itself more conspicuously than when, upon the proposition to make Napoleon Consul for life, he openly recorded his vote, "No," adding that he could not vote for such a magistracy until liberty was further guaranteed. Napoleon

plunged still further into his career, but never for one moment did La Fayette despair; and when Washington, in 1804, tendered him the post of Governor of Louisiana, he declined, because he was unwilling to take a step which should seem to separate him from the destinies of his own country, which he still hoped to see settle down upon the adamantine foundation of universal liberty. He was tranquil now through all—through splendor of the empire, through marvelous successes and marvelous disasters, at the victories of Austerlitz, at the retreat from Moscow, at the capitulation of Paris. As little could he participate in the restoration of Louis as in the usurpation of Napoleon. But he reappeared when Napoleon returned from Elba—he came forward as a simple Deputy. The disaster of Waterloo now fell upon France. The Emperor insisted upon the dissolution of the Chamber, and upon the Dictatorship. Then, with a voice that had been silent for more than a generation, did La Fayette submit the proposition, which was at once adopted, declaring the Chamber permanent, and any attempt by the Emperor to dissolve it to be treason. The restoration of the Bourbons lasted from 1815 to 1820, during much of which time La Fayette, as a simple Deputy, sat in the Chamber without constraint. At the news of his election, Louis XVIII. trembled.

Overtopping all others in character, La Fayette was conspicuous also in debate. Especially was he aroused whenever human liberty was in question; nor did he hesitate to vindicate the great revolution in France, at once, in its principles and in its practical results, boldly declaring that its evils were to be referred, not so much to the bad passions of men, as to those timid counsels which instituted compromise for principle.

His parliamentary career was interrupted by an episode which belongs to the poetry of history—his visit to the United States upon the invitation of the American Congress. The Boston poet at that time gave expression to the universal feeling when he said:

We bow not the neck, we bend not the knee,
But our hearts, La Fayette, we surrender to thee.

As there never was such a guest, so there never was such a host; and yet, throughout all this transcendent hospitality, binding him by new ties, he kept the loyalty of his heart—he did not forget the African slave. But his country had still further need of his services. Charles X. undertook to subvert the charter under which he held his crown, and Paris was again aroused, and

France was heaving again. Then did all eyes turn to the patriot farmer of Lagrange—to the hero already of two revolutions—to inspire confidence alike by his bravery and by his principles. Now seventy-three years of age, with a few friends, among whom was a personal friend of my own—whom some of you also know, Dr. Howe, of Boston—he passed through the streets, where the conflict was hotly raging, and across the barricades to the City Hall, when he was again placed at the head of the National Guard of France. “Liberty shall triumph,” said he in his first proclamation, “or we will all perish together.” Charles X. fell before those words of that old man. The destinies of France were again in his hand. He might have made himself Dictator; he might have established a republic of which he might have been chief; but mindful of that moderation which was the rule of his life, unwilling to hazard again the civil conflict which had drenched France with fraternal blood, he proposed a popular throne surrounded by popular institutions. The Duke of Orleans, as Louis Philippe, became King of France. Unquestionably his own desire was for a republic, upon the American model; but he gave up this darling desire of his heart, satisfied that, at least, liberty was secured. If this were not so, it was because for a moment he had put his trust in princes. He again withdrew to his farm; but his heart was wherever liberty was in question—now with the Pole, now with the Italian, now with the African slave. For the rights of the latter he had unfailing sympathy, beginning with his youth, and upon the principle, as he expresses it, “every slave has the right of immediate emancipation, by the concession of his master or by force, and this principle no man can call in question.” Tenderly he approached this great question of our own country, but the constancy with which he did it shows that it haunted and perplexed him like a sphynx with a perpetual riddle. He could not understand how men who had fought for their own liberty could deny liberty to others. But he did not despair; although at one time in his old age his impatient philanthropy broke forth in the declaration, that he never would have drawn the sword for America had he known that it was to found a government that sanctioned human slavery.

The time was now at hand when his great career was to close. Being taken ill, at first with a cold, the Chamber of Deputies inquired of his son after his health; and upon the next day, May 20, 1834, he died, at the age of seventy-seven. The ruling passion

was strong to the last. As at the beginning, so at the end, he was all for freedom; and the last lines traced by his hand, which he rose from his death-bed to write, attest his joy at that great act of emancipation by which England, at an expense of a hundred million dollars, had given freedom to eight hundred thousand slaves. "Nobly," he writes—and these were the last words of your benefactor—"nobly has the public treasure been employed." And those last words, speaking from the tomb, still sound in our ears. Such was La Fayette. At the tidings of his death there was mourning in two hemispheres, and the saying of Pericles was again fulfilled, for the whole earth was the sepulcher of the illustrious man.

"Not to those chambers where the mighty rest
Since their foundation, came a nobler guest;
Nor e'er was to the bowers of bliss conveyed
A purer spirit or a fairer shade."

Judge him by what he did throughout a long life, and you must confess his greatness. Judge him by the principles of his life, and you must bend with reverence before him. In all history he stands alone. There is no one who has done so much for human freedom. In youth, showing the firmness of age, and in age, showing the ardor of youth; trampling upon the prejudices of birth, upon the seductions of power, upon the blandishments of wealth, setting aside the favor even of that people whom he loved so well; whether placed at the height of worldly ambition, or plunged in the vaults of a dungeon, always true to the same principles. Great he was, indeed; not as an author, although he has written what we are all glad to read; not as an orator, although he has spoken often and well; not as a soldier, although always brave and often working miracles of genius; not as a statesman, although versed in government and intuitively perceiving the relations of men and nations; not on these accounts is he great; but he is great as one of the world's benefactors, who possessed the largest measure of that greatest gift of God to man—the genius of beneficence. And great he is as an example, which, so long as history endures, shall teach all—the author, the orator, the soldier, the statesman—all alike to labor, and if need be, to suffer for human rights. The fame of such a character brightening with the advance of civilization, can find no limit except in earthly gratitude.

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